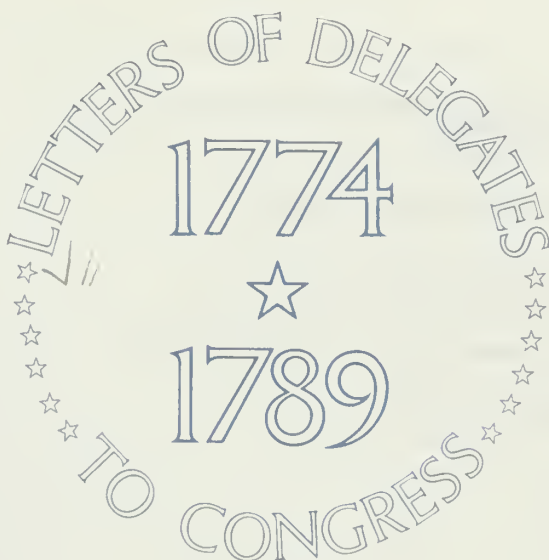








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11

October 1, 1778–January 31, 1779

Paul H. Smith, Editor

Gerard W. Gawalt, Associate Editor

With the assistance of Ronald M. Gephart and Eugene R. Sheridan

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Editorial Method and Apparatus

In its treatment of documents this edition of delegate letters strives to achieve a middle ground between facsimile reproduction and thorough modernization. The original spelling and grammar are allowed to stand except where editorial changes or insertions are required to make the text intelligible. For example, when a badly misspelled word is misleading, the correct spelling is inserted in roman type in brackets after the word. Moreover, words omitted through oversight have been supplied at appropriate places in italic type in brackets. Obvious slips of the pen and inadvertent repetitions are usually silently corrected. Capitalization and punctuation have been standardized according to certain conventions. Each sentence begins with a capital letter, as do all proper and geographic names as well as days of the week and months of the year. Doubtful cases have been resolved in favor of modern usage; otherwise the usage of the original texts has been followed. Generally, abbreviations, contractions, and monetary signs are preserved as they appear in manuscript except when they are ambiguous or misleading. On the other hand, the thorn and the tilde are consistently expanded. "Ye" always appears as "The," for instance, and "re^cvd" as "received." Likewise, "pr." and tailed *p*'s are always expanded to "per," "pre," or "pro," as the case demands. Finally, superscript letters are always lowered to the line.

Gaps in the text are indicated by ellipses in brackets for missing words and by blank spaces in brackets for missing numbers. Conjectural readings are supplied in roman type in brackets, and editorial insertions in italic type in brackets. Material canceled in manuscript but restored to the printed text is included in italic type in angle brackets ("square parentheses"). Marginalia in letters are treated as postscripts if not obviously keyed to the body of the document, and postscripts which appear without explicit designation are supplied with a *P.S.* in brackets. Documents are arranged chronologically, with more than one document of the same date arranged alphabetically according to writer. Documents dated only by the month or by the year are placed at the end of the respective month or year. Place-and-date lines always appear on the same line with the salutation regardless of their position in the manuscript.

A descriptive note at the foot of each entry provides abbreviations indicating the nature and location of the document when it was copied for this project, except for privately owned manuscripts whose ownership is explained. The descriptive note also contains information on the document's authorship if explanation is necessary, and

endorsements or addresses are quoted when they contain more than routine information. Other editorial practices employed in this work are explained in the sections on editorial apparatus which follow.

TEXTUAL DEVICES

The following devices will be used in this work to clarify the text.	
[...], [...]	One or two words missing and not conjecturable.
[...]¹, [...]¹	More than two words missing; subjoined footnote estimates amount of material missing.
[]	Number or part of a number missing or illegible.
[]¹	Blank space in manuscript; explanation in subjoined footnote.
[roman]	Conjectural reading for missing or illegible matter; question mark inserted if reading is doubtful.
[<i>italic</i>]	Editorial insertion in the text.
< <i>italic</i> >	Matter crossed out in manuscript but restored.

DESCRIPTIVE SYMBOLS

The following symbols are used in this work to describe the kinds of documents drawn upon. When more than one symbol is used in the descriptive note, the first to appear is that from which the main text is taken.

RC	recipient's copy
FC	file copy
LB	letterbook copy
MS	manuscript
Tr	transcript (used to designate not only contemporary and later handwritten copies of manuscripts, but also printed documents)

LOCATION SYMBOLS

The following symbols, denoting institutions holding the manuscripts printed in the present volume, are taken from *Symbols of American Libraries*, 12th ed. (Washington: Library of Congress, 1980).

CsmH	Henry E. Huntington Library, San Marino, Calif.
Ct	Connecticut State Library, Hartford
CtHi	Connecticut Historical Society, Hartford
CtY	Yale University, New Haven, Conn.
DLC	Library of Congress
DLC (ESR)	Library of Congress, Early State Records Collection
DNA	National Archives and Records Service

DNDAR	Daughters of the American Revolution, Washington, D.C.
DSoC	Society of the Cincinnati, Washington, D.C.
DeHi	Historical Society of Delaware, Wilmington
IHi	Illinois State Historical Library, Springfield
IMunS	Saint Mary of the Lake Seminary, Mundelein, Ill.
M-Ar	Massachusetts Archives, Boston
MB	Boston Public Library, Boston
MDaAr	Danvers Historical Society, Danvers, Mass.
MH-H	Harvard University, Houghton Library, Cambridge, Mass.
MHi	Massachusetts Historical Society, Boston
MWA	American Antiquarian Society, Worcester, Mass.
MdAA	Maryland Hall of Records, Annapolis
MdHi	Maryland Historical Society, Baltimore
MeHi	Maine Historical Society, Portland
MiU-C	William L. Clements Library, Ann Arbor, Mich.
N	New York State Library, Albany
NHi	New-York Historical Society, New York
NN	New York Public Library, New York
NN-B	New York Public Library, Berg Collection
NNC	Columbia University, New York
NNPM	Pierpont Morgan Library, New York
Nc-Ar	North Carolina State Department of Archives and History, Raleigh
NcU	University of North Carolina, Chapel Hill
Nh-Ar	New Hampshire Division of Archives and Records Management, Concord
NhD	Dartmouth College, Hanover, N.H.
NhHi	New Hampshire Historical Society, Concord
NjMoHP	Morristown National Historical Park, Morristown, N.J.
NjP	Princeton University, Princeton, N.J.
NjR	Rutgers University, New Brunswick, N.J.
OCIWHi	Western Reserve Historical Society, Cleveland, Ohio
OMC	Marietta College, Marietta, Ohio
PBMCA	Moravian Church Northern Province Archives, Bethlehem, Pa.
PHC	Haverford College, Haverford, Pa.
PHarH	Pennsylvania Historical and Museum Commission, Harrisburg
PHi	Historical Society of Pennsylvania, Philadelphia
PPAmP	American Philosophical Society, Philadelphia
PPIn	Independence National Historical Park, Philadelphia
PPRF	Rosenbach Foundation, Philadelphia
R-Ar	Rhode Island State Archives, Providence

ScC	Charleston Library Society, Charleston, S.C.
ScHi	South Carolina Historical Society, Charleston
ScU	University of South Carolina, Columbia
ViHi	Virginia Historical Society, Richmond
ViU	University of Virginia, Charlottesville

ABBREVIATIONS AND SHORT TITLES

Adams, *Diary* (Butterfield)

Adams, John. *Diary and Autobiography of John Adams*. Edited by Lyman H. Butterfield et al. 4 vols. Cambridge: Harvard University Press, Belknap Press, 1961.

Adams, *Family Correspondence* (Butterfield)

Butterfield, Lyman H., et al., eds. *Adams Family Correspondence*. Cambridge: Harvard University Press, Belknap Press, 1963—.

Adams, *Writings* (Cushing)

Adams, Samuel. *The Writings of Samuel Adams*. Edited by Harry A. Cushing. 4 vols. Boston: G. P. Putnam's Sons, 1904–8.

Bartlett, *Papers* (Mevers)

Bartlett, Josiah. *The Papers of Josiah Bartlett*. Edited by Frank C. Mevers. Hanover, N.H.: Published for the New Hampshire Historical Society by the University Press of New England, 1979.

Bartlett, *Records of R.I.*

Bartlett, John R., ed. *Records of the State of Rhode Island and Providence Plantations in New England*. vols. 8–10. Providence: Cooke, Jackson & Co., 1863–65.

Beaumarchais, *Correspondance* (Morton and Spinelli)

Beaumarchais, Pierre Augustin Caron de. *Beaumarchais Correspondance*. Edited by Brian N. Morton and Donald C. Spinelli. Paris: A. G. Nizet, 1969—.

Bio. Dir. Cong.

U.S. Congress. *Biographical Directory of the American Congress, 1774–1971*. Washington: U.S. Government Printing Office, 1971.

Bowdoin and Temple Papers (MHS Colls.)

The Bowdoin and Temple Papers. 2 vols. Massachusetts Historical Society Collections, 6th ser. vol. 9; 7th ser. vol. 6. Boston: Massachusetts Historical Society, 1897–1907.

Burnett, *Letters*

Burnett, Edmund C., ed. *Letters of Members of the Continental Congress*. 8 vols. Washington: Carnegie Institution of Washington, 1921–36.

Clinton, *Papers* (Hastings)

Clinton, George. *Public Papers of George Clinton, First Governor of New York, 1777–1795, 1801–1804*. Edited by Hugh Hastings and

J. A. Holden. 10 vols. New York and Albany: Wynkoop Hallenbeck Crawford Co. et al., 1899–1914.

DAB

Dictionary of American Biography. Edited by Allen Johnson and Dumas Malone.

Davies, Documents of the American Revolution

Davies, K. G., ed. *Documents of the American Revolution, 1770–1783*. 21 vols. Dublin: Irish University Press, 1972–81.

Deane Papers (NYHS Colls.)

Deane, Silas. *The Deane Papers*. 5 vols. New-York Historical Society Collections, vols. 19–23. New York: New-York Historical Society, 1886–90.

Evans, Am. Bibliography

Evans, Charles. *American Bibliography*. 12 vols. Chicago: Privately printed, 1903–34.

Franklin, Writings (Smyth)

Franklin, Benjamin. *The Writings of Benjamin Franklin*. Edited by Albert Smyth. 10 vols. New York: Macmillan Co., 1905–7.

Gardiner, Warren-Gerry Correspondence

Gardiner, C. Harvey, ed. *A Study in Dissent: The Warren-Gerry Correspondence, 1776–1792*. Carbondale: Southern Illinois University Press, 1968.

Gérard, Dispatches (Baisnée and Meng)

Baisnée, Jules A. and Meng, John J., trans., “Philadelphia and the Revolution: French Diplomacy in the United States, 1778–1779,” *Records of the American Catholic Historical Society of Philadelphia*, vols. 56–59, 1945–48, passim.

Greene, Papers (Showman)

Greene, Nathanael. *The Papers of General Nathanael Greene*. Edited by Richard K. Showman et al. Chapel Hill: Published for the Rhode Island Historical Society by the University of North Carolina Press, 1976–.

Heitman, Historical Register

Heitman, F. B. *Historical Register of Officers of the Continental Army during the War of the Revolution, April, 1775, to December 1783*. Washington [Baltimore]: Press of Nichols, Killam & Maffit, 1893.

Henry, Patrick Henry

Henry, William Wirt. *Patrick Henry: Life, Correspondence, and Speeches*. 3 vols. New York: Charles Scribner’s Sons, 1891.

Jay, Papers (Morris)

Jay, John. *John Jay; The Making of a Revolutionary: Unpublished Papers, 1745–1780*. Edited by Richard B. Morris et al. New York: Harper & Row, 1975.

Jefferson, *Papers* (Boyd)

Jefferson, Thomas. *The Papers of Thomas Jefferson*. Edited by Julian P. Boyd et al. Princeton: Princeton University Press, 1950–.

JCC

U.S. Continental Congress. *Journals of the Continental Congress, 1774–1789*. 34 vols. Edited by Worthington C. Ford et al. Washington: Library of Congress, 1904–37.

Lafayette, *Papers* (Idzerda)

Idzerda, Stanley J., et al., eds. *Lafayette in the Age of the American Revolution: Selected Letters and Papers, 1776–1790*. Ithaca: Cornell University Press, 1977–.

Lee, *Letters* (Ballagh)

Lee, Richard Henry. *The Letters of Richard Henry Lee*. Edited by James C. Ballagh. 2 vols. New York: Macmillan Co., 1911–14.

Lee *Papers* (NYHS Colls.)

Lee, Charles. *The Lee Papers*. 4 vols. New-York Historical Society Collections, vols. 4–7. New York: New-York Historical Society, 1871–74.

Livingston, *Papers* (Prince)

Livingston, William. *The Papers of William Livingston*. Edited by Carl E. Prince et al. Trenton: New Jersey Historical Commission, 1979–.

Mason, *Papers* (Rutland)

Mason, George. *The Papers of George Mason, 1725–1792*. Edited by Robert A. Rutland. 3 vols. Chapel Hill: University of North Carolina Press, 1970.

Md. *Archives*

Archives of Maryland. Edited by William H. Browne et al. Baltimore: Maryland Historical Society, 1883–.

Meng, *Gérard Despatches*

Gérard, Conrad Alexandre. *Despatches and Instructions of Conrad Alexandre Gérard*. Edited by John J. Meng. Baltimore: Johns Hopkins Press, 1939.

Morgan, *Naval Documents*

Morgan, William James, et al., eds. *Naval Documents of the American Revolution*. Washington: Department of the Navy, 1964–.

N.C. *State Records*

North Carolina. *The State Records of North Carolina*. Edited by Walter Clark. Vols. 11–26. Winston and Goldsboro, N.C.: N. I. and J. C. Stewart et al., 1895–1914.

N.H. *State Papers*

New Hampshire. *Provincial and State Papers*. 40 vols. Concord, 1867–1943.

NYHS *Collections*

Collections of the New-York Historical Society

Pa. Archives

Pennsylvania Archives. 9 series, 119 vols. in 120. Philadelphia: J. Severns & Co., 1852-56; Harrisburg: State printer, 1874-1935.

Pa. Council Minutes

Pennsylvania. Minutes of the Supreme Executive Council of Pennsylvania, from Its Organization to the Revolution. 6 vols. [*Colonial Records of Pennsylvania*, vols. 11-16]. Harrisburg: Theo. Fenn & Co., 1852-53.

Paullin, Marine Committee Letters

Paullin, Charles O., ed. *Out-Letters of Continental Marine Committee and Board of Admiralty, 1776-1780*. 2 vols. New York: Printed for the Naval History Society by the De Vinne Press, 1914.

PCC

Papers of the Continental Congress. National Archives and Records Service. Washington, D.C.

PMHB

Pennsylvania Magazine of History and Biography.

Rodney, Letters (Ryden)

Rodney, Caesar. *Letters to and from Caesar Rodney, 1756-1784*. Edited by George H. Ryden. Philadelphia: University of Pennsylvania Press, 1933.

Sullivan, Letters (Hammond)

Sullivan, John. *Letters and Papers of Major-General John Sullivan*. Edited by Otis G. Hammond. 3 vols. Collections of the New Hampshire Historical Society, vols. 13-15. Concord: New Hampshire Historical Society, 1930-39.

Trumbull, Papers (MHS Colls.)

Trumbull, Jonathan, Sr. *The Trumbull Papers*. 4 vols. Massachusetts Historical Society Collections, 5th ser. vols. 9-10; 7th ser. vols. 2-3. Boston: Massachusetts Historical Society, 1885-1902.

Warren-Adams Letters

Warren-Adams Letters, Being Chiefly a Correspondence among John Adams, Samuel Adams, and James Warren. 2 vols. Massachusetts Historical Society Collections, vols. 72-73. Boston: Massachusetts Historical Society, 1917-25.

Washington, Writings (Fitzpatrick)

Washington, George. *The Writings of George Washington*. Edited by John C. Fitzpatrick. 39 vols. Washington: U.S. Government Printing Office, 1931-44.

Wharton, Diplomatic Correspondence

Wharton, Francis, ed. *The Revolutionary Diplomatic Correspondence of the United States*. 6 vols. Washington: Government Printing Office, 1889.

Acknowledgments

To the Library of Congress, the Congress of the United States, and the Ford Foundation this edition owes its existence. It is fitting, therefore, that we take this opportunity to acknowledge the foresight of the Library's administration in planning a timely and comprehensive observance of the American Revolution Bicentennial, of the Congress in funding a Bicentennial Office in the Library, and of the Ford Foundation in making a generous grant in support of this project as a scholarly contribution to the celebration of the Bicentennial era. It is with the most profound gratitude that the editors acknowledge their appreciation to all those who bore responsibility for the decisions that made possible these contributions. Our appreciation is also extended to the innumerable persons who have contributed to enriching the holdings of the Library of Congress to make it the premier institution for conducting research on the American Revolution.

The photocopies of the more than twenty-one thousand documents that have been collected for this project have been assembled through the cooperation of several hundred institutions and private individuals devoted to preserving the documentary record upon which the history and traditions of the American people rest, and it is to their work that a documentary publication of this nature should ultimately be dedicated. Unfortunately, the many individual contributors to this collecting effort cannot be adequately recognized, but for permission to print documents appearing in the present volume we are especially grateful to the following institutions: the American Antiquarian Society, the American Philosophical Society, Archives du ministère des affaires étrangères (Paris), Archives nationales (Paris), Archivo General de Indias (Seville), Biblioteca Nazionale Centrale (Firenze, Italy), Boston Public Library, Charleston Library Society, Society of the Cincinnati, William L. Clements Library, Columbia University, Connecticut Historical Society, Connecticut State Library, Danvers Historical Society, Dartmouth College, Daughters of the American Revolution, Historical Society of Delaware, Harvard University, Haverford College, Henry E. Huntington Library, Illinois State Historical Library, Independence National Historical Park, Maine Historical Society, Marietta College, Maryland Hall of Records, Maryland Historical Society, Massachusetts Archives Division, Massachusetts Historical Society, Moravian Church Northern Province Archives, Pierpont Morgan Library,

Morristown National Historical Park, National Archives and Records Service, New Hampshire Division of Archives and Records Management, New Hampshire Historical Society, New-York Historical Society, New York Public Library, New York State Library, North Carolina State Department of Archives and History, University of North Carolina, Pennsylvania Historical and Museum Commission, Historical Society of Pennsylvania, Princeton University, Rhode Island State Archives, Rosenbach Foundation, Rutgers University, Saint Mary of the Lake Seminary, Sotheby Parke Bernet Inc., South Carolina Historical Society, University of South Carolina, Tioga Point Museum, Virginia Historical Society, University of Virginia, Western Reserve Historical Society, and Yale University. And in addition, we express our thanks and appreciation to the following persons: Mr. Sol Feinstone, Mr. Herbert E. Klingelhofer, Mr. Roy C. Kulp, Mrs. Elsie O. and Mr. Philip D. Sang, and Capt. J. G. M. Stone.

This work has benefited not only from Edmund C. Burnett's path-finding eight-volume edition of *Letters of Members of the Continental Congress* but also from the generous cooperation of the editors of several other documentary publications with a common focus on the revolutionary era. From them the Library has borrowed heavily and to them it owes a debt it can never adequately acknowledge. It is a pleasure to give special thanks to the editors of the papers of John Adams, Benjamin Franklin, Thomas Jefferson, Henry Laurens, James Madison, and George Washington. Finally we owe thanks to the historians who served on the Advisory Committee on the Library's American Revolution Bicentennial Program, and especially to Mr. Julian P. Boyd, Mr. Lyman H. Butterfield, and Mr. Merrill Jensen, who generously acted as an advisory committee for the *Letters* project.

Paul H. Smith
Historical Publications Office
Manuscript Division

Chronology of Congress

October 1, 1778–January 31, 1779

- October 2 Extends embargo to January 31, 1779; requests states to seize provisions to prevent engrossing and speculation.
- October 3 Informs Casimir Pulaski "that it is the duty of every military officer in the service of these states, to yield obedience" to the laws of the states.
- October 5 Conducts examination of William Carmichael on the activities of Silas Deane in France.
- October 6 Invites Dr. Richard Price to become a citizen and move to the United States to assist "in regulating their finances."
- October 8 Lifts limitations on the price of silver and gold.
- October 12 Adopts resolves to suppress "theatrical entertainments, horse racing, gaming, and such other diversions as are productive of idleness, [and] dissipation."
- October 13 Orders Washington to take measures for frontier defense.
- October 14 Receives documents from Silas Deane and schedules continuation of inquiry into charges made against him.
- October 15 Receives intelligence of the distribution of a "Manifesto and Proclamation" from the British peace commissioners.
- October 16 Orders seizure of persons attempting to distribute "manifestoes" of the British commissioners; orders removal of the Convention Army to Charlottesville, Va.
- October 17 Commends comte d'Estaing for his attempts to assist the forces of the United States.

- October 21 Orders arrest of British commissary of prisoners in Philadelphia; declares opposition to "partial and parole exchanges" of prisoners of war in favor of "a general exchange"; commends the marquis de Lafayette and declares thanks to the king of France.
- October 22 Assigns Horatio Gates to command of the eastern department; adopts instructions for the American minister to France and a "Plan of an Attack upon Quebec."
- October 26 Appoints a committee to prepare a publication on "matters relating to" negotiations with the British peace commissioners.
- October 27 Responds to the Governor of Havana for his introduction of Juan de Miralles, unofficial Spanish agent to the United States.
- October 29 Reorganizes the Board of War.
- October 30 Adopts a "Manifesto" vowing to take "exemplary vengeance" against future acts of enemy barbarity.
- October 31 Rejects proposal from the Spanish Governor of New Orleans for an attack on West Florida.
- November 2 Authorizes an attack on East Florida.
- November 3 Appoints a comptroller, auditor, treasurer, and commissioners of accounts for the reorganized treasury office.
- November 4 Orders printing of the Franco-American treaties; resolves to emit additional \$10,000,000 in Continental currency.
- November 7 Orders December 30 set apart as "a day of general thanksgiving"; reaches compromise in dispute over provisioning prisoners of war.
- November 10 Augments plans for an expedition against East Florida.
- November 11 Exempts embargoed flour purchased in Virginia for the French navy.
- November 12 Denies John Connolly's plea to be treated as a prisoner of war because of parole violations.

- November 14 Adopts incentives for naval enlistments.
- November 17 Orders closer confinement of John Connolly; adopts thanksgiving day resolve.
- November 19 Authorizes Washington to appoint commissioners to negotiate a prisoner exchange; receives Thomas McKean's charges against Gen. William Thompson.
- November 20 Hears General Thompson's denial of Thomas McKean's charges.
- November 23 Examines witnesses in McKean-Thompson dispute.
- November 24 Adopts rules for settling rank and seniority disputes in the Continental Army; authorizes Board of War "to finish the arrangements of the army agreeably to the resolutions of Congress."
- November 26 Receives New Jersey ratification of Articles of Confederation.
- November 27 Rejects petition for exempting grain for Bermuda from the embargo.
- November 28 Responds to Adm. James Gambier's threat to retaliate against American prisoners of war.
- December 3 Confirms Gen. Philip Schuyler's court-martial acquittal; receives letters recommending secret British agent John Temple.
- December 5 Endorses Washington's recommendations for suspending preparations for a Canadian invasion; confirms Gen. Charles Lee's court-martial conviction.
- December 7 Orders Silas Deane to report in writing on "his agency . . . in Europe"; hears testimony in McKean-Thompson dispute.
- December 9 Receives Henry Laurens' resignation as president of Congress.
- December 10 Elects John Jay president of Congress; endorses Gérard's proposal for encouraging privateering.
- December 14 Resolves to emit additional \$10,000,000 in Continental currency.

- December 16 Resolves to contract the supply of Continental currency, to accept presidential expenses as a public charge, and to ask the states to raise \$15,000,000 in taxes; confirms Gen. Arthur St. Clair's court-martial acquittal.
- December 18 Directs Washington to attend Congress in keeping with his suggestion for "a personal conference."
- December 22 Hears Silas Deane "read his written information" concerning his agency in Europe.
- December 23 Continues Silas Deane hearing; continues hearing into McKean-Thompson dispute.
- December 24 Receives General Washington; continues hearing into McKean-Thompson dispute; accepts General Thompson's "apology."
- December 25 Observes Christmas.
- December 26 Adopts loan office regulations for exchanging Continental bills.
- December 29 Adopts Gérard's proposal for protecting American-grown masts; appoints three additional Continental Brigadiers.
- December 31 Continues Silas Deane hearing; adopts additional fiscal resolves.
- January 1 Defers planned Franco-American attack on Canada.
- January 2 Adopts additional fiscal resolves to curb depreciation.
- January 5 Receives Gérard's protest against Thomas Paine's published letters concerning supplies from France.
- January 6 Conducts inquiry into Gérard's charges against Thomas Paine.
- January 7 Adopts Gérard's charges against Thomas Paine; dismisses Paine from his position as secretary to the Committee for Foreign Affairs.
- January 8 Receives Henry Laurens' admission that he had informed Thomas Paine of Congress' confidential proceedings against him.

- January 9 Orders Henry Laurens to submit written statement of his "suspicion of fraudulent proceedings" by Robert Morris.
- January 11 Receives Henry Laurens' charges against Robert Morris.
- January 12 Disavows charges published by Thomas Paine concerning supplies received from France.
- January 14 Resolves to reassure France that the United States "will not conclude either truce or peace . . . without [her] formal consent."
- January 15 Receives Francis Lewis' statement on Henry Laurens' charges against Robert Morris.
- January 19 Hears Henry Laurens' explanation concerning his charges against Robert Morris.
- January 20 Appoints committee to conduct foreign affairs inquiry.
- January 21 Appoints committee to "examine into principles of the powers of the . . . Committee on Appeals" and the refusal of Pennsylvania to honor the committee's decree in the case of the *Active*.
- January 22 Resolves to request Virginia, North Carolina, and the comte d'Estaing to provide assistance for Georgia and South Carolina.
- January 23 Adopts resolves to improve recruitment of Continental troops and to augment the authority of the commander in chief.
- January 26 Appoints committee to investigate Pennsylvania's charges against Gen. Benedict Arnold, Continental commander of Philadelphia.
- January 28 Debates Gérard's contention that Congress should compensate France for aid rendered by d'Estaing to the southern states, in accordance with article four of the treaty of alliance.
- January 30 Approves General Washington's request for leave to return to camp.

List of Delegates to Congress

This section lists both the dates on which delegates were elected to terms falling within the period covered by this volume and the inclusive dates of their attendance. The former are generally ascertainable from contemporary state records, but the latter are often elusive bits of information derived from the journals of Congress or extrapolated from references contained in the delegates' correspondence, and in such cases the "facts" are inevitably conjectural. It is not possible to determine interruptions in the attendance of many delegates, and no attempt has been made to record interruptions in service caused by illness or brief trips home, especially of delegates from New Jersey, Delaware, Maryland, and Pennsylvania living within easy access of Congress. For occasional references to such periods of intermittent service as survive in the correspondence and notes of various delegates, see the index under individual delegates. Until fuller information is provided in a consolidated summary of delegate attendance in the final volume of this series, the reader is advised to consult Burnett, *Letters*, 3:li-lxii, 4:xlix-lxvi, for additional information on conjectural dates of attendance. Brief biographical sketches of all the delegates are available in the *Biographical Directory of the American Congress, 1774-1971*, and fuller sketches of more than half of the delegates can be found in the *Dictionary of American Biography*.

CONNECTICUT

Andrew Adams

Elected: October 11, 1777; October 21, 1778

Attended: October 1-2? 1778

Eliphalet Dyer

Elected: October 11, 1777; October 21, 1778

Attended: December 15, 1778, to January 31, 1779

Oliver Ellsworth

Elected: October 11, 1777; October 21, 1778

Attended: October 8, 1778, to January 1779

Titus Hosmer

Elected: October 11, 1777; October 21, 1778

Did not attend October 1778 to January 1779

Samuel Huntington

Elected: October 11, 1777; October 21, 1778

Did not attend October 1778 to January 1779

Jesse Root

Elected: October 21, 1778

Attended: December 15, 1778, to January 31, 1779

Roger Sherman

Elected: October 11, 1777; October 21, 1778

Attended: October 1 to December 16, 1778

Joseph Spencer

Elected: January 7, 1779

Did not attend January 1779

Oliver Wolcott

Elected: October 11, 1777

Did not attend October 1778

DELAWARE

John Dickinson

Elected: January 18, 1779

Did not attend January 1779

Thomas McKean

Elected: December 17, 1777; January 18, 1779

Attended intermittently October 12, 1778, to January 31, 1779

Caesar Rodney

Elected: December 17, 1777

Did not attend October 1778 to January 1779

Nicholas Van Dyke

Elected: December 17, 1777; January 18, 1779

Attended: November 24 to ? 1778

GEORGIA

Joseph Clay

Elected: February 26, 1778

Did not attend Congress

Lyman Hall

Elected: February 26, 1778

Did not attend in 1778-79

Edward Langworthy

Elected: February 26, 1778

Attended: October 1, 1778, to January 31, 1779

Edward Telfair

Elected: February 26, 1778

Attended: October 1 to November 14? 1778

George Walton

Elected: February 26, 1778

Did not attend in 1778-79

John Walton

Elected: February 26, 1778

Attended: October 1 to November 14? 1778

Joseph Wood

Elected: February 26, 1778

Did not attend October 1778 to January 1779

MARYLAND

William Carmichael

Elected: November 13, 1778

Attended: November 19, 1778, to January 31, 1779

Charles Carroll of Carrollton

Elected: December 5, 1777

Did not attend October 1778 to January 1779

Samuel Chase

Elected: December 5, 1777

Attended: October 1-8, 1778

James Forbes

Elected: December 22, 1777; November 13, 1778

Attended: October 1-2? 1778

John Henry

Elected: December 22, 1777; November 13, 1778

Attended: October 1, 1778, to January 31, 1779

Daniel of St. Thomas Jenifer

Elected: November 13, 1778

Did not attend November 1778 to January 1779

William Paca

Elected: November 13, 1778

Attended: November 19 to December 12? 1778; January 2?-31, 1779

George Plater

Elected: December 5, 1777; November 13, 1778

Did not attend October 1778 to January 1779

Thomas Stone

Elected: December 5, 1777

Attended: October 1-8, 1778

MASSACHUSETTS

Samuel Adams

Elected: December 4, 1777; October 8, 1778

Attended: October 1, 1778, to January 31, 1779

Francis Dana

Elected: December 4, 1777; October 8, 1778

Did not attend October 1778 to January 1779

Timothy Edwards

Elected: October 8, 1778

Did not attend October 1778 to January 1779

Elbridge Gerry

Elected: December 4, 1777; October 8, 1778

Attended: October 1, 1778, to January 31, 1779

John Hancock

Elected: December 4, 1777; October 8, 1778

Did not attend October 1778 to January 1779

Samuel Holten

Elected: February 20, 1778; October 8, 1778

Attended: October 1, 1778, to January 31, 1779

James Lovell

Elected: December 4, 1777; October 8, 1778

Attended: October 1, 1778, to January 31, 1779

Robert Treat Paine

Elected: December 4, 1777

Did not attend in 1778-79

NEW HAMPSHIRE

Josiah Bartlett

Elected: August 14, 1778

Attended: October 1 to November 3, 1778

George Frost

Elected: August 18, 1778

Attended: November 25, 1778 to January 31, 1779

John Wentworth

Elected: August 18, 1778

Did not attend October 1778 to January 1779

William Whipple

Elected: August 18, 1778

Attended: November 5, 1778, to January 31, 1779

NEW JERSEY

Elias Boudinot

Elected: November 20, 1777

Did not attend October 1778 to January 1779

Abraham Clark

Elected: November 20, 1777

Did not attend October 1778 to January 1779

Elias Dayton

Elected: December 12, 1778

Did not attend Congress

Jonathan Elmer

Elected: November 20, 1777

Attended: October 6?-20? 1778

John Fell

Elected: November 6, 1778

Attended: December 5, 1778, to January 31, 1779

Frederick Frelinghuysen

Elected: November 6, 1778

Attended: January 23-31, 1779

John Neilson

Elected: November 6, 1778

Declined

Nathaniel Scudder

Elected: November 20, 1777; November 6, 1778

Attended: October 6 to December 10, 1778; December 29 to January 9, 1779

John Witherspoon

Elected: November 20, 1777; November 6, 1778

Attended: October 8-November 5?; November 25-27?; December 15, 1778, to January 8, 1779

NEW YORK

James Duane

Elected: October 3, 1777; October 16, 1778

Attended: November 19, 1778, to January 31, 1779

William Duer

Elected: October 3, 1777

Attended: October 1 to November 16? 1778

William Floyd

Elected: October 16, 1778

Attended: January 2-31, 1779

John Jay

Elected: November 4, 1778

Attended: December 7, 1778, to January 31, 1779

Francis Lewis

Elected: October 3, 1777; October 16, 1778

Attended: October 1-20? 1778; November 16? 1778, to January 31, 1779

Gouverneur Morris

Elected: October 3, 1777; October 16, 1778

Attended: October 1, 1778, to January 31, 1779

Philip Schuyler

Elected: March 25, 1778; October 16, 1778

Did not attend October 1778 to January 1779

NORTH CAROLINA

Thomas Burke

Elected: August 12, 1778

Attended: December 14, 1778, to January 31, 1779

Cornelius Harnett

Elected: April 25, 1778

Attended: October 1 to December 16? 1778

Whitmell Hill

Elected: August 12, 1778

Attended: December 14, 1778, to January 31, 1779

John Penn

Elected: April 25, 1778

Attended: October 1, 1778, to January 31, 1779

John Williams

Elected: April 28, 1778

Attended: October 1 to December 26? 1778

PENNSYLVANIA

John Armstrong, Sr.

Elected: November 20, 1778

Did not attend October 1778 to January 1779

Samuel Atlee

Elected: November 20, 1778

Attended: December 24, 1778, to January 31, 1779

Edward Biddle

Elected: November 20, 1778

Did not attend 1778-79

William Clingan

Elected: December 10, 1777; November 20, 1778

Attended: October 1 to December 2? 1778; January 22?-31, 1779

Benjamin Franklin

Elected: December 10, 1777

Did not attend 1778-79

Robert Morris

Elected: December 10, 1777

Attended: October 1-24? 1778

Joseph Reed

Elected: December 10, 1777

Attended: October 1-12, 1778

Daniel Roberdeau

Elected: December 10, 1777; November 20, 1778

Attended: October 1, 1778, to January 31, 1779

James Searle

Elected: November 20, 1778

Attended: November 25, 1778, to January 31, 1779

William Shippen, Sr.

Elected: November 20, 1778

Attended: January 4-31, 1779

James Smith

Elected: December 10, 1777

Attended: October 1-13?; November 16?-20? 1778

Jonathan Bayard Smith

Elected: December 10, 1777

Did not attend October 1778 to January 1779

RHODE ISLAND

John Collins

Elected: May 6, 1778

Attended: November 3, 1778, to January 31, 1779

William Ellery

Elected: May 6, 1778

Attended: November 11, 1778, to January 31, 1779

Stephen Hopkins

Elected: May 6, 1778

Did not attend in 1778-79

Henry Marchant

Elected: May 6, 1778

Attended: October 1 to November 16, 1778

SOUTH CAROLINA

William Henry Drayton

Elected: January 21, 1778

Attended: October 1, 1778, to January 31, 1779

Thomas Heyward

Elected: January 22, 1778

Did not attend October 1778 to January 1779

Richard Hutson

Elected: January 22, 1778

Attended: October 21? 1778, to January 31, 1779

Henry Laurens

Elected: January 21, 1778

Attended: October 1, 1778, to January 31, 1779

John Mathews

Elected: January 22, 1778

Attended: October 1 to November 14, 1778

VIRGINIA

Thomas Adams

Elected: May 29, 1778

Attended: January 7-31, 1779

John Banister

Elected: May 29, 1778

Did not attend October 1778 to January 1779

William Fleming

Elected: December 14, 1778

Did not attend December 1778 to January 1779

Cyrus Griffin

Elected: May 29, 1778

Attended: October 1-21?; December 23? 1778, to January 31, 1779

John Harvie

Elected: May 29, 1778

Attended: October 1-16? 1778

Francis Lightfoot Lee

Elected: May 29, 1778

Attended: November 9, 1778, to January 31, 1779

Richard Henry Lee

Elected: May 29, 1778

Attended: October 1 to November 2, 1778

Thomas Nelson

Elected: December 10, 1778

Did not attend December 1778 to January 1779

Meriwether Smith

Elected: May 29, 1778

Attended: October 1, 1778, to January 31, 1779

Illustrations

View of Philadelphia

endpapers

"An East Prospect of the City of Philadelphia; taken by George Heap from the Jersey Shore, under the Direction of Nicholas Scull Surveyor General of the Province of Pennsylvania." This detail is from an engraving by Thomas Jefferys based on an etching of the city published in Thomas Jefferys, *A General Topography of North America and the West Indies. Being a Collection of All the Maps, Charts, Plans, and Particular Surveys, That Have Been Published of That Part of the World, Either in Europe or America* (London: R. Sayer, 1768).

William Carmichael

28

Born into a wealthy Maryland family, William Carmichael studied law and completed his education in Edinburgh during the early 1770s. Carmichael was in London in 1775 at the outbreak of hostilities in America, but before returning to America, he went to Paris for a brief visit that became an extended sojourn of more than two years. There he was employed for a time by Silas Deane and as secretary to the American commissioners in France, subsequently acquiring diplomatic experience during a trip to Berlin to enlist support from Prussia. Because of his connection with Deane, Carmichael found himself, upon his return to America in 1778, thrust into the congressional controversy over charges leveled against Deane by Arthur Lee. He was called to testify before Congress during an inquiry into allegations that Deane had used public funds to purchase and equip privateers operated by his associates. Before the inquiry came to a head, however, Carmichael escaped further examination by virtue of his election to Congress as a delegate from Maryland in November. After serving Maryland in Congress for nearly a year, he was in September 1779 elected secretary to the newly appointed minister plenipotentiary to Spain, John Jay. In January 1780 he reached Spain, where he spent the remainder of his life. When Jay went to Paris in 1782 to participate in treaty negotiations with Britain, Carmichael remained in Madrid as acting chargé d'affaires, the position he held until 1790 when he received the commission of chargé from Secretary of State Thomas Jefferson. He was subsequently instructed by the Washington administration to secure a treaty with Spain to settle a number of unresolved differences with the United States, but

the venture was unsuccessful and he was recalled in 1794. Illness unfortunately delayed his return to America, and Carmichael died in 1795 at Madrid, where he was buried.

Engraving by Albert Rosenthal, Gratz Collection, Historical Society of Pennsylvania.

Carlisle Commissioners' "Manifesto and Proclamation,"
October 3, 1778

61

By late summer, Britain's 1778 peace initiative had been rejected by Congress and the personal efforts of the commissioners to meet privately or through secret agents with American leaders had been exposed and discredited. In a final, futile effort to reach a sympathetic audience, the Earl of Carlisle, Sir Henry Clinton, and Richard Eden issued a "Manifesto and Proclamation" addressed not only to Congress and state leaders but also directly to "the free inhabitants of the said Colonies, of every rank and denomination." Learning that the document would be distributed throughout America under flags of truce, however, Congress retaliated by declaring that persons captured in the act of distributing it were not entitled to protection from a "flag" and would be taken into custody because the manifesto was "seditious" and designed to "stir up dissensions, animosities and rebellion." Accordingly the states were asked to seize all persons discovered "engaged in the prosecution of such nefarious purposes," and the document was printed in the newspapers "to convince the good people of these states of the insidious designs of the said commissioners." The effort was also held up to ridicule by William Henry Drayton in a public letter printed in the *Pennsylvania Packet* on October 29, and Congress issued a proclamation of its own on October 30 cataloging the "barbarity" and "wanton destruction" practiced by the enemy. Conceding failure, the commissioners boarded ship at New York on November 27 for their return to England.

Rare Book and Special Collections Division, Library of Congress.

Lafayette

112

Marie-Joseph-Paul-Yves-Roch-Gilbert du Motier, marquis de Lafayette, is the best known of the foreign officers who served in the Continental Army during the American Revolution. Commissioned a major general by Congress on July 31, 1777, Lafayette distinguished himself in the field on a number of occasions and sustained wounds at the battle of Brandywine. Although but twenty years of age when he entered the American service, he quickly gained the confidence of his troops and the friendship of the commander in chief, and he was held in high esteem throughout the war by a number of delegates to Congress. He was fiercely loyal to Washington and a determined enemy to critics of the general such as Thomas Conway. He was

selected by Congress in 1778 to command an "irruption" into Canada, but when he discovered the inadequacy of the preparations that were being made for it he advised its abandonment and in the process won the admiration of several observers for the maturity of his judgment and his restraint in the pursuit of personal advancement. Disappointed at the collapse of the Canadian adventure, Lafayette returned to France in 1779 as an advocate of the Franco-American alliance and worked to stifle any disillusionment with the American cause that might have been stimulated by returning French officers who had failed in personal efforts to enter the Continental service. Following his return to America in 1780, Lafayette was assigned command of the Continental forces mobilized to check the invasion of Virginia by the Earl of Cornwallis the following spring, and he participated in a number of engagements leading to the victory at Yorktown in October 1781. Although he enjoyed a long and distinguished career after returning to France following the American Revolution, surviving the great upheavals that shook France from the Revolution in 1789 to the Revolution of 1830, he remained for Americans the enduring symbol of the Franco-American alliance. To this symbolism his American contemporaries paid special tribute during his triumphal tour of the United States in 1824, thirteen years before his death.

Painting by Charles Willson Peale, 1779. Washington-Custis-Lee Collection, Washington and Lee University, Lexington, Va.

Congress' "Manifesto," October 30, 1778 149

Congress' "Manifesto" of October 30, 1778, had its origin in a committee appointed in January 1778 that was charged with preparing "a manifesto on the injurious treatment our prisoners and faithful citizens receive from the enemy." The work languished, however, until August, when Congress received a remonstrance of the 7th and a "declaration" of the 26th from the British peace commissioners concerning treatment of the prisoners of the Convention Army. And it was not brought to fruition until after Congress decided on an appropriate response to the Carlisle Commissioners' October 3 "Manifesto and Proclamation" directed to the American people. The result was a rehearsal of the "wanton destruction" practiced by British forces "in their vain attempt to subjugate the unconquerable spirit of freedom" in the United States and a pledge to take "exemplary vengeance" against America's enemies if they "persist in their present career of barbarity."

Rare Book and Special Collections Division, Library of Congress.

Charles Thomson's Secret Journal, October 31, 1778 211

Despite the significance of the subject, only a few tantalizing references in the delegates' correspondence testify to Congress'

interest in the Floridas during the autumn of 1778. On November 2 Congress authorized the commander of the southern military department to proceed in his proposed plan for an expedition against East Florida, even though on October 31 Congress had quietly rejected a proposal from the Spanish governor of New Orleans for an attack on West Florida. As the latter resolution concerned a sensitive issue that Congress wished not to have published, however, it was not entered on the regular journal of Congress but was relegated instead by Secretary Thomson to an entry in his "secret" journal. Apologizing for their inability to mount an expedition against West Florida "at this time," the delegates simply resolved to thank Governor Bernardo de Galvez for "his spirited & disinterested conduct towards these states" and declared that it was their hope that notwithstanding other priorities the states would soon be able to "operate effectually in that quarter."

National Archives and Records Service.

Resolves on "Arrangement" of the Army, November 24, 1778 261

"Arranging" the Continental Army was one of the staples of Congress' work during 1778. The year had opened with the army encamped at Valley Forge facing a provisions and morale crisis, which led Congress to dispatch a committee to camp to confer with Washington on proposals to improve military conditions. The "committee at camp" and its successor "committee of arrangement" investigated a multitude of problems during their visits to Valley Forge, and in the aftermath the committees submitted many recommendations for congressional action. By autumn, major proposals for "arranging" the army had been adopted, but a number of problems concerning officer seniority, and particularly the equitable treatment of those who had been prisoners of war, remained to be acted upon. On November 24 Congress adopted a series of resolves establishing rules and regulations for settling most of the remaining issues, and copies of these were transmitted to the commander in chief on the 26th.

Rare Book and Special Collections Division, Library of Congress.

John Jay

323

Jay, a New York lawyer educated at King's College and son-in-law of New Jersey governor William Livingston, was elected to the First Continental Congress in 1774, and he continued in Congress in 1775-76. Jay drafted Congress' 1774 Address to the People of Great Britain and a 1775 Petition to the King that was rejected by the delegates, apparently because it was too conciliatory. After serving in the Provincial Congresses and Provincial Convention of New York in 1776-77, he was elected chief justice of the New York Supreme Court

when the new state government was organized in 1777, but he was sent back to Congress with a special appointment to represent the state in its dispute over the Vermont lands in 1778. Only three days after Jay's arrival, Henry Laurens stunned the delegates with his sudden resignation as president because of their refusal to take action against Silas Deane, and the following day Jay was elected to succeed him. He served as president of Congress until September 1779, when he was elected minister plenipotentiary to Spain, and he was appointed a commissioner to negotiate peace with Britain in 1781. Jay's role in the negotiations at Paris in 1782 was marked by his conspicuous distrust of British and French officials, and he was clearly more comfortable working with the suspicious John Adams than the less skeptical Benjamin Franklin. Upon his return to America, he served as secretary of foreign affairs in 1784-90. A forceful advocate of the new federal Constitution, Jay wrote five of the *Federalist* essays to promote its ratification, and he was appointed the first chief justice of the United States Supreme Court by Washington in 1789. Despite his judicial position, Jay was also appointed special envoy in 1794 to negotiate a dispute with Great Britain, contributing to a highly controversial treaty bearing his name that was nearly rejected by the Senate. He returned to the service of his state in 1795 when he resigned from the Supreme Court to accept the governorship of New York, which he held 1795-1801. In retirement Jay continued to sponsor various public causes, particularly as an antislavery advocate and as president of the American Bible Society. He died in 1829 at the age of 83.

Painting by Charles Willson Peale. Maryland Historical Society.

Richard Hutson

337

Hutson, a Charleston, South Carolina, lawyer-planter, was the son of a Congregational minister and had been educated at the College of New Jersey at Princeton. He served with the militia during the British attack on Charleston in 1776 and was a member of the South Carolina Assembly during 1776-78. Elected in 1778, at the age of 30, by South Carolina to Congress, Hutson served nearly a year while Congress was convened at York and at Philadelphia, during which time he became a signer of the Articles of Confederation. As a member of the Committee of Commerce he participated in negotiations with Théveneau de Francy over Caron de Beaumarchais' contract for supplies imported from France. And in early 1779 he and James Duane were appointed to confer with the French minister, Conrad Alexandre Gérard, on an agreement concerning French provisions purchases to limit the depreciation of the Continental dollar caused by French bills of exchange, an assignment that was doubtless made because of his work on the Board of Treasury. Upon his return

to South Carolina, he was returned to the state assembly four additional terms, and he was selected lieutenant governor of South Carolina in 1782. Hutson supported ratification of the federal Constitution as a delegate to the South Carolina ratifying convention in 1788, and he was a delegate to the state constitutional convention in 1790. He died in 1795 at the age of 47.

Engraving by Max Rosenthal. Prints and Photographs Division, Library of Congress (LC-USZ62-54683).

Thomas Paine

429

Paine is probably best known to Americans as the leading pamphleteer of the American Revolution, the author of *Common Sense* and the *Crisis* letters. He was appointed by Congress secretary to the Committee for Foreign Affairs in April 1777, and it was in that capacity that he was thrust into the limelight in January 1779 when he was accused of publishing information contained in the committee's confidential diplomatic correspondence. On the one hand, he had challenged Silas Deane's defense against charges of corruption leveled by Arthur Lee, and on the other he had claimed that the French government had provided supplies to America while still at peace with Britain in 1776-77. Under pressure brought by Conrad Alexandre Gérard, who obtained an official denial of these charges from Congress, Paine resigned his position, and in the maneuvering that followed, some of Paine's allies, such as Henry Laurens, found their positions embarrassingly compromised. Paine subsequently remained in the public eye as the contributor of several newspaper essays denouncing Deane and his supporters, and he briefly enlisted his pen in the service of Gérard to promote Franco-American goodwill. But Paine was too volatile to continue under the restraints sought by Gérard and soon declined French employment. He continued to live precariously in America until 1787, when he returned to his birthplace, England. It was there that he again plunged himself in the cause of revolution after the fall of the Bastille in 1789. His *Rights of Man* was a powerful defense of the early progress of the French Revolution, but the excesses of the Terror and the attack on him by Edmund Burke soon deprived him of many of his former admirers in the United States. Publication of his deistic tract *The Age of Reason* in 1794 scandalized even more Americans, and after he returned to the United States in 1802, his last seven years were marked by declining health, poverty, and ostracism.

Painting by John Wesley Jarvis, ca. 1806-7. National Gallery of Art, Washington (Gift of Marian B. Maurice, 1950).

- Maryland "Declaration . . . concerning the Confederacy,"
December 15, 1778 492

The Maryland Assembly's declaration of December 15, 1778, publicly announced the state's grounds for refusing to ratify the Articles of Confederation. The reason, Maryland explained, was that it believed itself "justly entitled to a Right in Common with the other Members of the Union, to that extensive Tract of Country which lies to the Westward of the Frontiers," and that "the exclusive Claim set up by some States to the whole Western Country by extending their limits to the Mississippi or South Sea, is . . . without any solid Foundation." In addition to this declaration, however, the assembly went on to adopt further instructions for its delegates which were to be laid before Congress "at a proper time"—i.e., when they "may make such an Impression on that Assembly as to induce them to make such Addition to the Articles of Confederation as may bring about a permanent Union." Although the Maryland delegates presented the state's "Declaration" to Congress on January 6, 1779, they withheld their "instructions" until May 21, the day after the Virginia delegates had introduced a resolve of the Virginia Assembly proposing that the states confederate without Maryland.

From the collections of the South Carolina Historical Society, Henry Laurens Papers.

- Resolves on Finance, October 1778 to January 1779 502

No issues were more troubling to Congress during 1778-79 than financing the war and the depreciation of the Continental currency. Fiscal reform had been before Congress almost continuously for more than a year, and several proposals were adopted piecemeal during the autumn and early winter. Subsequently a number of these were assembled and printed in broadside form and transmitted to the states by President Jay on January 22, 1779. The first of these, the broadside reproduced here (Evans no. 16131), consisted of five resolutions concerning gold and silver prices, counterfeiting, Continental loan office regulations, and the publication of information on exchanging withdrawn Continental issues. The second (Evans no. 16566), consisted of four resolutions concerning state quotas for 1779, taxation, and the exchange of two heavily counterfeited Continental emissions.

From the collections of the Executive Department, Archives Branch, Virginia State Library, Richmond.

LETTERS OF DELEGATES
11
October 1, 1778—
January 31, 1779
TO CONGRESS

Henry Laurens to William Livingston

Sir

1st October [1778]

I have in due course presented to Congress Your Excellency's favors of the 24th and 28th Ultio. The former was committed to the Board of War and remains unreported,¹ on the latter the House Yesterday resolved to order Count Pulaski's Legion and all the Continental Soldiers fit for duty, in and near this City to march to Princeton, as will appear more fully by the Act here inclosed.²

I have the honor to be &c.

LB (DNA: PCC, item 13).

¹ Livingston's September 24 letter to Laurens reporting recent enemy advances in New Jersey, which is in PCC, item 68, fols. 399-402, was referred to the Board of War on September 28. *JCC*, 12:963.

² For Congress' September 30 resolution ordering Pulaski's corps to Princeton, voted in response to intelligence about anticipated British attacks on New Jersey contained in Livingston's September 28 letter to Laurens, which is in PCC, item 68, fols. 403-6, see *JCC*, 12:969. See also Livingston, *Papers* (Prince), 2:447-49.

Henry Laurens to William Livingston

Dear Sir

1st October [1778]

I have been fifteen days indebted for your favor of the 11th Ultio. and six for another of the 17th.¹ Believe me, Sir, I hold myself Your Excellency's debtor in every respect, and be pleased to apply this candid Declaration to the first and every kind paragraph of the former.

The entrance of Messrs. Kinlock and Jeffrey was certainly very irregular, altho' I am persuaded their intentions respecting these States were to add two faithful Citizens to our numbers.² I can vouch for the former, and must rely on the assurances of the other Gentleman. I wish General Maxwell and the Magistrates in New Jersey whom it concerns would restrain all illicit importations from New York. The Managers in that Garrison may now and then send us good goods in order the more effectually to impose counterfeits upon us.

I have faithfully executed your Excellency's commission by delivering the message to Mons. Girard, who repeated sentiments which he had expressed of your excellency's character before he had had "the honor of receiving your visit"—we cannot say too much of this Gentleman's merits *out of his own hearing*.

I do'nt Know any thing more troublesome than the conversation of those people who are eternally pestering one with recitals of their dreams. This does not however aim a blow against all dreams—within this exception I trust that a dream of my own which will appear in Dunlaps next Packet³ will be viewed by your excellency. I mention this because New Jersey is the Grand subject and you may be surprised at the presumption of any Man the Governor excepted in dreaming about New Jersey. The impressions of the visions alluded to were twice strongly made on my mind. I regarded the second as an high command and determined it my duty to reveal the whole to that part of the World for whose benefit it seemed principally designed but I have given strict orders to my Herald to conceal the dreamers name, after this intimation your Excellency will be in that part of the Secret which I mean to go no further.

Inclosed with this your Excellency will receive a copy of a new address from one of the Gentry at New York and of a sort of no-answer which Congress thought proper to return. Look Sir at the date of the extract from Lord George Germain's letter, compare it with the dates of the late requisitions and remonstrances from Messrs Carlisle & Company on the same subject. Is it not highly probable when those papers were fabricated the letter from whence this extract was made was in the hands of that Company? Is it not therefore to be presumed they are now in possession of "*a distinct and explicit ratification by the Court of Great Britain*" under special orders prohibiting the "due notification to Congress" until every *Stratagem* shall have failed?⁴ If it be true as I believe it is that the French forces are scouring the British West India Islands and that Admiral Keppell has not beat the Brest Squadron our troublesome inmates on this Continent must soon leave us in more quiet possession of our own beds.

Adieu Dr sir &c.

H.L.

LB (SchH: Laurens Papers, no. 16).

¹ For Livingston's September 11 and 17 letters to Laurens, see Livingston, *Papers* (Princeton), 2:434–35, 440.

² Livingston had aired his suspicions of Francis Kinloch of South Carolina and a Mr. Jeffrey of Maryland, who had arrived under a flag of truce at Brunswick and "there obtained a pass from one of the Justices of our Supreme Court to Philadelphia," in his September 11 letter to Laurens. *Ibid.*, p. 434.

³ That is John Dunlap's *Pennsylvania Packet*, in which Laurens' "dream" was printed two days later. See Laurens to the *Pennsylvania Packet*, October 3, 1778.

⁴ For discussion of the "stratagems" employed by "Messrs Carlisle & Company" to secure the release of the Convention Army, which involved assurances the commissioners had been authorized to offer by American Secretary Lord George Germain concerning British ratification of the Saratoga Convention and the return of Burgoyne's troops to England, see Gouverneur Morris to Henry Clinton, October 20, 1778, especially notes 1–3.

Marine Committee to William Smith

Sir

October 1, 1778

We are favoured with yours of the 22d Ultimo enclosing Captain Whippys receipt for £28.14.4 and Captain Stiles receipt for £96.10.0 Lawful Money which we shall transmit to the Navy Board of the Eastern Department. We are glad to hear that a Vessel offers to take in on freight the 200 Barrels flour remaining in your hands, which please to ship on board of her; and as the flour at Senepuxent is in danger of spoiling we wish you would agree for the Vessel to call in there and take the flour & barr Iron that remains at that place. Should you not be able to make this agreement we have directed the Commissary General of Purchases, to give Orders for Shipping as much Bread as the Vessel can take in.

You will please to take Bills of Lading deliverable to the Navy Board at Boston, and desire the Board to deliver the Bread that may be shipped, to the french Admiral for the use of his fleet taking proper receipts. We doubt not but you will make the best agreement for the freight that you can, and we request you will as Soon as convenient furnish your Account in Order that a settlement may be made. We are Sir, Your very Hble servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

Robert Morris to William Bingham

Sir

Philada. Octr. 1st 1778

Herewith you have Copies of my Letters of 5th & 17th May last which I fear did not arrive in due Course.¹ The first was sent to Messr. Norton & Bealle for a Passage from thence the latter went by the Brig. Retaliation, Capt. Geo. Ord, intending for your Island or St Eustatia but unluckily he fell to Leeward & put into Cape Francois from whence he forwarded your Letters in a Sloop bound to St. Eustatia but I cannot learn that she ever arrived there. Many of your Letters have come to my hands since the date of my last which acknowledged those down to the 8th of April, the next in Course is dated the 12th wherein you very justly supposed my time was too much engrossed by Publick to admit proper attention to private business. This was & is really too much the case, but I have long laboured to disengage myself from the first in order to do something worth while at the last & hope the time is not very distant when I may become Master of my time.² Notwithstanding my constant hurry I should have entered in the Speculation yon proposed of buying up the Loan Office Bills of Exch. & remitting them to you but none

were Issued untill the 10th of last month & now they ask 500 to 650 Per Cent for them, a price so enormously high can not answer your purpose or mine & therefore I decline the purchase. Your favr. of the 20th April comes next in order & I am to thank you for the kind expressions therein. I shall be glad to hear that Mr. Prejent was so successfull in Hispaniola as to have secured sufficient property there to pay his Debts,³ as to himself I fear he was lately killed in an Engagement off the east end of Jamaica. You will see by my former Letters that I sent by Captn. Ord such Papers as could at that time be obtained for proving our Claim against him but if they do not get into your hands or prove insufficient I can send others from this Place better authenticated. I shall be glad to hear that you have recovered the Insurance made by Mr. Delap on the Brig. Industry & Cargo. You thought it a pity the Medicines you sent to Virga. were not sold immediately on their arrival & so thought I at that time but when you see the Account Sales you will find no cause to repine at the Delay for I believe they were sold at the highest prices ever given.

You have no doubt been advised by Messr. Norton & Bealle of the Remittances they made me for your account & I shall very soon transmit you such Account Sales as have not already been furnished & your Acct. Currt. but it will be impossible to do it by this Conveyance of which I have had but short Notice. I have constantly been picking up as many Loan Office Certificates bearing Interest payable in Bills as I could get.⁴ Your Sum however is very large & as People are grown fully Sensible of their Value I don't Know whether it will be in my power to accomplish it fully. You mention in this Letter the £1000 Bills of Excha. again. If you had recurred to the Letter which carried those Bills I fancy it would clearly appear they never were intended on joint Account & as to their being charged to the Publick by you or me I did not consult what was the most beneficial mode but was the right mode & that I pursued. With respect to the Adventure per the Independance, Captn. Young, I credited you for half its cost in W. M. & Co[mpan]y's Books & continue their Interest in all my Transactions untill the 31st Decr. 1777 when that Partnership ended, except indeed in the Brig. Retaliation which was an affair from the first entirely on my private Account. The Schooner Hope, Captn. Bentson, was also on the Houses Account & at this time instead of my being your Debtor in Martinique the Ball. is in my favour & the Debt due to you is owing entirely from the House but this makes no difference to you as I am equally engaged to see it paid. I have made two attempts to lodge Effects with you for this purpose & both have been unfortunate but more of this by & by. Mr Dorsius has never remitted me one farthing on your Account & has much to my Surprise left off writing

to me. I observe with due Attention all you write in this Letter respectg. the Publick remittances for your relief, but you must be better informed in many things relative to the Publick Business than you are, before you can understand why I wish Consignments to be made you in preference to your drawing on Europe, for I am still of the same Opinion & it would take up more time than I can spare to inform you of all the Causes that conspired to prevent such Consignments from being made but they are such as induced me in Novr. last to draw up a Plan for establishing a Board of Commissioners to carry on the Publick Commerce.⁵ This I left with Congress & have ever since refused to have any thing to do with it myself & the consequence is that nothing is done at all as the Plan met with some opposition, the Consideration of it was postponed from time to time & no determination has been had thereon to this day. Your Draft on me in favor. Madm. Thomas for 1249 46/90ths Dollars was duly paid.

The other parts of your Letter of 20th April are I think answered by what I have already wrote therefore proceed to the next which is dated the 6th May & proposes a plan for making our Loan Office Certificates negotiable in foreign Countries. In their present Form this is not practicable & as there is only one Certificate for each Sum & that payable to the Bearer you will be sensible the exportation of them would be attended with as much risque as Merchandize, it may probably surprize when I tell you, that forese[e]ing the advantages which would result to Commerce & to this Country from such Certificates as you mention, I proposed them above a Year ago in Congress when the Plan met a most Violent Opposition & was finally rejected,⁶ therefore that Scheme will not do at present altho I believe it might be brought to bear some little time hence as the Sentiments of Certain Gentn. on these Subjects seem to be a good deal changed. Messr. Conyngham, Nesbitt & Co. & I have a good many Concerns together but I do not encline to form any more General Connection or Partnerships, neither is it necessary, for if I can but once get the Command of my time I have in every other respect the means of doing as much business as I chuse. The Six Bales of Linnens you consign'd to Messr Hooe & Harrisons they sold & have Accounted with me for our half the Net Proceeds. The other half they say are to Account with you for. Your Letters of 10th & 18th May only require to be acknowledged & to tell you that I forwarded the Letters to your Friends & sent word to your Mother that I was not only ready to pay the 1600 Dolls. you ordered but also to Supply her with any Money she might want & I have already answered what relates to Loan Office Certificates. Your Original Letter of the 2d June never arrived & no doubt you have been advsd by Mr Duncan of his Misfortune in being taken. I was very sorry for your Loss in that Vessell & Cargo.

Mrs. Morris was vexed at her disappointment in the loss of the Sugar, Coffee and Limes for Amount whereof I credit you Lrs. 218.9.6 agreeable to the Invoice with thanks for your Attention. I observe also that one of Mr. Grays Cases of Wine was on Board this Vessell & is lost but where are the other two Cases, I hear nothing of them. I mentioned to the Members of the Committee for Foreign Affairs your desire of returning to this Place & observe you have now mentioned it yourself. I think they have no right to object & I will try to procure you an order or remittance for the Ballance of your account. Your favr. of the 24th June is Accompanied with the Accounts relative to the Brig. Retaliation all of which I have entered in my Books without examining them minutely, this however shall be done when I can find leisure for it & if any remarks should hereafter appear necessary you must expect to hear them as also to Correct Errors of any we discovered as to remittances I shall write of them by & by. If the Underwriters on the Brig. Industry do not pay that loss on receipt of the Papers I forwarded there is no use in making Insurance, but I think they must have paid it long since & I count on our half as so much in your hands before this time. Mr. Braxton insists on the propriety of his Claim on you for the Double of Conyng-hams Bill but you must settle it yourselves being very disagreeable for me to interfere. The Possessors of Money in the West Indias are become too sensible of the Value of it to expect any good bargains can be made in that way at this time of day therefore you must not expect it. I have always desired the Goods you sent on our joint Account to be sold off as fast as good prices could be obtained & believe this is chiefly complied with. You request me to give you an answer about the Musquetts you agreed for on the Publick Account & I have long expected the Committee had done this & having withdrawn myself from those Committees I do not like to interfere. My private Opinion is that you should have taken & sent them along as the Transaction was known to them from the first & never contradicted. I think they were bound in honour to fulfill your engagements. Your Letter of 6th July mentions the Applications of Mr. Limozin & Mr. Cathalan for remittances, you need not remit anything for our Houses Share as I have ordered Mr. Ross to pay them & make no doubt he has long since done so. Nothing more can I say about the Musquetts except urging the Committee again which shall be done. The Goods you consigned Mr. Crosby arrived safe, he has been here & says he is to Account with me for half the Net Proceeds when sold I desired him to make the most of them soon as he could. It was out of my power to assist him with Loan Office Certificates not having yet compleated your order to myself for that sort of Paper. Your favr. of 1st Augt. advises the Arrivel of 68 Bales of Blankets from Havre de Grace they are on Account of W.M. &

Co[mpan]y being the remains of an old order. You shall have Credit for the Freight & Charges on them & I hope the whole Balla. due you will be paid before long for your Complaints on this Subject are very painfull to me. I fancy you will not find it so difficult to Ship these Bales to me as you seem to imagine, as they contain Blankets that are greatly wanted. I shall be very impatient to receive them & entertain hopes that you will meet Virginia Boats or other fast Sailing Vessells to receive more or less of the Bales until the whole are dispatched. But the Triplicate of your favr. of the 19th Augt. which is the latest I have received seems to confirm your Apprehensions of not meeting with Opportunitys to remit me these Goods. I hope however that your endeavours to send them will not be wanting as it would be a great disappointment not to receive them this Winter. Having now gone through your Letters & made such reply thereto as at this time appears necessary, I shall proceed to such other things as may occur.

When I had wrote thus farr, I discovered that the Boat by which this was intended to go had gone down & I had only time to Scribble over a few Lines of Apology which I sent after her & hope they have got on board & this must go by Captn. James Robertson in the Sloop William which I have bought in Connection with Messr. Co. Nesbitt & Co[mpan]y & we conclude to send her to Martinique consigned to you & Mr. H[ayfield] Conyngham that is the one third part to him & my $\frac{2}{3}$ rds to you. We bought this Vessell as she lay in Egg Harbour with 48 hogsheads Tobacco on Board & have sent down 12 hogsheads more to fill her. Captn Robertson goes down to Morrow & we expect the Vessell will be quite ready by the time he gets down so that he may proceed on the Voyage immediately. Mr. Nesbitt will write the Instructions which will be that you are to make the best Sale you possibly can of the Cargo supply what may be necessary for Charges & expences, pay Captn. Robertson Fifty Pounds, Ship 500 Bushells of Salt on board for the Owners Account & then Mr. Conyngham is to receive their one third of the Ballance & you are to Credit me for two thirds. Mr. Nesbitt will I suppose order his Money to be Invested in goods to come back by this Vessell but my Intention is that you Credit W.M. & Co[mpan]y for my two thirds of the Ballance & that you Ship back in this Sloop about one fourth part of the Bales of Blankets you have received from Mr. Limozin if so many of them still remain with you when this Vessell is there but should you have Shipped those Goods & any others have since come to your hands for my Account or for Acct of W.M. & Co[mpan]y you may Ship of such to the Value of £1000 Sterling or thereabouts if so much there be, or if the Powder from St. Eustatia should be sent to you & remains with you Ship a Quantity of that; but if you have sent away all the Blankets & have not any other Goods of mine or the

Houses then I must request you to Invest half the Ballance you are to receive from this Sloops present Cargo in Molasses, Rum, Sugar & Coffee assorting it as you judge best & Ship it back by this Sloop consigned to me on Acct. & risque of Thos. Willing & myself. In that Case the other half will remain towards discharging the Ballance due you from Willing, Morris & Coy. & as that Ballance is entirely owing by the House I have Shipped this adventure on Acct. of T.W. & myself & shall make up other consignments in the same way & for the same purpose but then we must have something sent back in the Vessells to make up their Voyages unless the Blankets or other Goods of ours from Europe remain in your hands in that case the risque of those will be sufficient. I must entreat that Captn. Robertson may have good Dispatch for Wages & expences are very extravagant & a little delay ruins a Voyage. The Balla, of your Martinique Acct. stands on W.M. & Coy's Books at Lrs. 78,095.13.8 in your favr. & on my Books at Lrs. 1594.10.4 against you which leaves Lrs. 76,501.3.4, of this Mr. Saml. Bealle should & I suppose has remitted Livrs. 15,100 being what you charged to our Account for Expences on the Powder & which must be made good out of that Concern, this will leave Livrs. 61,401.3.4 against this will come half the Insurance on the Brig. Industry which certainly must be recovered by Mr. Delap & I hope also you will have to Credit me again for Lrs. 2794 charged in your Acct as my part of outstanding Debts due to the Owners of Brig. Retaliation the principal part of which I find was owing by Mr. Prejent & I can not help thinking You have been somewhat to blame in suffering W.M. & Coy. to be so basely treated by that Gentn. You knew he had half of our Ship her Cargo & freight in his hands. You knew he was ordered to pay you the whole & I really think it was your Duty to have insisted on the payment whilst he had the Money instead of suffering him to fit out privateers with it & the more so as it was entirely owing to your recommendation that we trusted him which we did reluctantly at the time but depended on you to Insist on the payment.

If you had done this you would have had little reason to write me in so pressing a Stile for remittances. I mention this affair that you may recollect the reasons of our being in your Debt, that it is in some degree unexpected & entirely your own fault. I do not however plead this as a reason why you should not be paid nor in excuse for delay of payment as you may suppose when you recollect that I sent the Schooner Hope for your address for the purpose of discharging part of this Debt out of her Cargo but she was unluckily taken. I also assigned you a further payment out of my half of the Retaliations last Cargo but she unluckily fell to Leeward & went into Cape Francois. There are Accidents I could neither foresee nor prevent but my Intentions are evidenced by the outsetts & from thence you

may gather that it is not necessary to be so pressing with me about remittances—indeed if I had been Master of my Time I would long since have had Money in your hands instead of being indebted but I hope to turn the Scale before long. The Brig. Retaliation met with as bad a Market at Cape Francois as she would have done at Martinique Tobacco being only Lrs. 55 to Lrs. 65, & part of the Cargo remained unsold at last Accounts I had from thence. Mr. Ceronio on whom Captn. Ord valued Shipped back some Molasses, Taffia, Sugar & Coffee to the Amot. of what he judged would be coming from the Cargo of Tobacco when sold. The Vessells expences were very high there—She had a quick passage hither & I sold her Cargo for good prices but have not time to enclose the Accounts indeed it cannot now be done for want of the Tare of some Coffee Barrells.

After some delay occasioned here on the Publick applying for the Brig. to go after some Ships that came into our Bay—We have her down loaded her with Tobacco & she is gone for Port L'Orient in France under the Command of Captn. Thos. Bell as Captn. Ord desired to stay on Shoar a while. She is well manned with 30 Men & I have ordered her directly back here with a Valuable & suitable Cargo on Account of the Owners & if she gets safe back a fine Voyage must be made. She is addressed to Messr. Gourlade & Moylan & the Value of this Tobacco ordered back in Goods. You shall have all Accounts relative to this Brig. by some future Opportunity after I have time to adjust & make them out. I shall also send you an Account of the Loan Office Certificates & State of your Acct. Curr. which I cannot attempt to do at this time & indeed this Letter is spun out to such a Length that I think it time to close it. Were it not for the Embargo I would Ship you a Quantity of Flour as this Article is both scarce & dear however if any alteration takes place that will enable me to do it consistantly I shall not fail to embrace the Occasion. Should the Goods Mr. Nesbitt & myself have ordered back in the Sloop not be sufficient to fill her perhaps you may encline to Ship by her on your own Account or more Salt may be added. I hope soon to address you again & remain, Dear Sir, Your Affect. Friend & Obed. hble Servant,

Robt Morris.

P.S. I beg you will send the Blankets quick as possible & by good Conveyance.

RC (DLC: Bingham Papers). In the hand of John Swanwick and signed by Morris.

¹ For references to these letters, which Morris wrote from his home at Manheim during a six-month leave of absence from Congress, see these *Letters*, 9:567n.2, 651n.4.

² The evidence for determining just when Morris' congressional career ended is ambiguous. He voted with the Pennsylvania delegates on a roll call vote of October 16, but he is not listed in votes recorded on October 21 and 29. He was, however, named to committees appointed on October 23 and 24, and in a November 3

letter to Jean Holker he complained that "every moment of my time is employ'd between Congress Committees, and assembly & private business." Although he was later appointed as Congress' Superintendent of Finance and Agent of Marine in 1781, his career as a delegate came to an end officially when he was not included with the new slate of delegates elected by the Pennsylvania Assembly on November 20, 1778. See *JCC*, 12:1019, 1036, 1059, 1076, 1160-61.

For additional information on Morris' private commercial activities, to which he yearned to devote greater attention at this juncture in his career, see Clarence I. Ver Steeg, *Robert Morris, Revolutionary Financier* (1954; reprint ed., New York: Octagon Books, 1972), pp. 28-36.

³ For Morris' and Bingham's involvement in the privateering ventures of Cotiney de Prejent, see these *Letters*, 6:651-52.

⁴ For a discussion of the congressional fiscal measures that had made "Loan Office Certificates bearing Interest payable in Bills" such an attractive investment, see E. James Ferguson, *The Power of the Purse* (Chapel Hill: University of North Carolina Press, 1961), pp. 36-38.

⁵ For an intriguing reference to Morris' little-known proposal reorganizing the Committee of Commerce, see these *Letters*, 8:687n.7.

⁶ Perhaps Morris is referring to proposals he made while serving on a committee which, on June 11, 1777, had submitted a fiscal report that included proposals for improving the negotiability of United States obligations in Europe. See *ibid.*, 7:142n.3; and *JCC*, 8:453-57.

Robert Morris to Jonathan Hudson

Sir,

Philada. Octr. 1st. 1778¹

I delivered your last letters which came by Post, to Mr. Whiteside that he might try what could be done with Salt, and I desired him to tell you how much I disapproved of Speculating in that Article. I dislike it because it tends to raise or keep up the price of so necessary an Article & I disapproved of it at this time because I think it an Ill judged Speculation. I hope you may not have bought any and wish you to Countermand Your orders immediately.²

Messrs. Purviances have a Prize Ship on their hands that will carry as it is said 600 hogsheads tobo. I beg you will ask them their lowest price for her, tell them I will buy her if they will sell her reasonably but on no other terms will I have any thing to Say to her. I can now buy such Ships in Boston for about £2000 that Money.

I beg you to examine this Ship and give me soon as possible your full & Candid opinion of her & the price they ask for her, which will much oblige, Dr Sir, Your Obedt hble Servt, Robt Morris.³

RC (CSmH: Emmet Collection).

¹ Another document illustrating the extent of Morris' commercial operations, which frequently originated in his conduct of public business and acquaintance with congressional colleagues, is a power of attorney assigned to him by John Banister this date. "Whereas a scheme of Commerce is meditated," the instrument declared, "between Robert Morris, Silas Deane, James Wilson, William Duer, John Banister Esquires & others, and the Necessity of the said John Banister's Affairs requiring his Departure from this Place [Philadelphia] before the said Scheme of

Trade & Commerce can be maturely digested & concluded on; Be it therefore known that the said John Banister hath constituted, ordained & appointed Robert Morris Esqr. of the said City to be his true & lawful attorney." Lloyd W. Smith Collection, NjMoHP.

* Morris repeated his opposition to Hudson's "Salt Speculations" in an October 20 letter which recommended that Hudson "Contrive to get well clear" of that trade. "After which," Morris continued, "my advice is not to meddle with that Article." Willing-Morris-Swanwick Co. Records, PHaH. For additional information on Morris' relations with his Baltimore partner Hudson, see Clarence L. Ver Steeg, *Robert Morris, Revolutionary Financier* (1954; reprint ed., New York: Octagon Books, 1972), pp. 30-32.

³ In addition to the business he carried on through Hudson, Morris was also engaged in trade through the port of Baltimore with David Stewart. No letters from Morris to Stewart for this period have been found, but Stewart's letters to him occasionally shed light on public issues that concerned Morris and Congress. In this regard, the following passage from Stewart's October 3, 1778, letter to Morris, written in response to a September 25 letter from Morris, is particularly relevant. "In Answer thereto, am Sorry to remark that the Complaints with you of Some Companys in this Town purchaseing up provisions, is too Well founded, but I most Solemnly assure you I have no Concern therein, nor do I wish Ever to interfere with any thing wanted for the Publick Service. The report here is, that a Member of Congress advised his friend, that there was a probability of the Embargo being Soon taken Off & recommended him Strongly to Speculate in Wheat & flour, in which Speculation the Member of Congress was Concerned to a pretty large ammount, however dont think this has been Altogether the reason of the Sudden Advance in price. The Crop has been but a Short one, not nearly Equal to What was Expected, the Farmers Endeavouring to procure A price in proportion to what Articles imported at a great risk Sells for, and most of them haveing money plenty are Able to hold off, till they obtain their own asking, if a favourable Alteration does not take place its impossible to Support the Army & I dont know how the poorer Sort of people are to do, while Bread is at Such a Monstrous price." Robert Morris Papers, DLC.

Henry Laurens to William Heath

Dear Sir,

Philadelphia, 2d October 1778.

As President of Congress I should acknowledge my self in Arrears for your several favors of the 5th, 10th, & 21st Ult. but I do mean this, under that Character—those Letters remain in the possession of Committees unreported, consequently I am without commands respecting them.¹ I would not however suffer this Messenger to depart without a bare intimation that your dispatches had been received nor without the latest News Papers, one will probably be of to morrows date as I shall keep open this Cover in order to convey it.

I am with very great Esteem & Respect, sir, Your obedient & most humble servant,

Henry Laurens.

RC (MHi: Heath Papers).

¹ Heath's September 5 letter to President Laurens is in PCC, item 157, fols. 198-99. His letters of September 10 and 21 were referred to committee on September 21 and 30 respectively. *JCC*, 12:914, 936, 970.

Henry Laurens to Baron von Steuben

Sir.

Philadelphia 2d October 1778.

You will find inclosed an Act of Congress of the 25th Ulto. for appointing Mr. John Ternant Lieutt. Colonel in the service of the United States & Inspector of the Troops in South Carolina & Georgia to which I beg leave to refer.¹

I have the honor to be With very great Esteem & Regard, Sir, Your most obedient & most humble servant,

Henry Laurens, President of Congress.

RC (NHi: Steuben Papers).

¹ See Laurens to Steuben, September 17, 1778, note 3.

Henry Laurens to John Sullivan

Sir

2nd October [1778]

Since my last of the 13th Ulto. I have been honored with your several favors of the 18th, 23d and 24th.¹ The first is committed to the Board of Treasury, and the last to the Board of War—a considerable sum of money was lately transmitted to the Deputy Paymaster within your circle, which I presume has reached his hands before this time and removed the inconveniencies complained of.²

Congress have appointed the 5th Instant for taking under consideration the state of Cloathing for the whole Army. We are informed by the Board of War that there are more than sufficient quantities for the ensuing Winters demand. I will not doubt but that effectual Measures will be taken, an immediate and proper distribution.³

Inclosed Sir you will receive two Acts of Congress of the 30th Ulto.⁴

1. for accepting the resignations of Lieut. Saml. Arnold and Ensign Elias Blanchard.
2. for authorizing you to accept Resignations of such Officers under your Command as you shall judge proper.

I have the honor to be &c.

LB (DNA: PCC, item 13).

¹ For the disposition of Sullivan's letters to Laurens of September 18, 23, and 25 (not 24), which are in PCC, item 160, fols. 185-94, see *JCC*, 12:963, 969-70.

² See Laurens to Ebenezer Hancock, September 20, 1778.

³ See Roger Sherman to Jonathan Trumbull, Sr., October 6, 1778, note.

⁴ *JCC*, 12:969.

Henry Laurens to George Washington

Sir

2nd October [1778]

Since my last of the 27th I have had the honor of receiving and presenting to Congress Your Excellency's favor of the 23d Ulto. which is still in the hands of a Committee.¹

I have at present only to forward the Inclosed Act of Congress of the 30th September for Marching Count Pulaski's Legion and other Continental Soldiers in and near this City to Princeton.²

I have the honor to be &c.

LB (DNA: PCC, item 13).

¹ Washington's September 23 letter to Laurens, which is in Washington, *Writings* (Fitzpatrick), 12:489-93, and PCC, item 152, 6:365-72, was read and referred to committee on September 28. *JCC*, 12:963.

² See Laurens' first letter to William Livingston, October 1, 1778, note 2.

Henry Laurens to the *Pennsylvania Packet*[October 3, 1778]¹

A virtuous woman is never solicitous to resound her chastity, although she feels a proper degree of resentment at being called a Whore even by implication."

Mr. Dunlap,

I have very little faith in dreams, but whenever those unaccountable visions of the night make such strong impressions upon the sensorium as to leave whole pages of what I dreamt I had read or heard, it is my practice to commit them to writing early in the morning, and at my leisure to remark the difference between my sleeping and waking vagaries. I am an old man, and have been thought a good friend to American liberty, but too insignificant to be called on to carry a musket. I amuse myself with reading news papers, conversing with my neighbours about the times, applauding the young fellows who turn out chearfully against the common enemy, and encouraging such as appear a little timid.

I was last night under my pipe reading your packet of the 10th of September, some parts of which led me into deep reflection, and while I was taking a general view of public affairs, the conduct of each of the United States, and of their representatives in Congress, I fell asleep.

In this state of freedom from the cares of the world, a little fairy maid, ten thousand times handsomer than any Tory Lady in Philadelphia with her top-gallant-royal commode, stood at the foot of my oaken elbow chair, delivered me a paper containing the identical

words here-underwritten. She dropt a curtesy, said "Old man, Virtue is its own reward," and vanished.

"FACTS."

"The largest return of the army cominanded by Major-General Sullivan in his late attempt against Rhode Island, amounted to ten thousand men; the Militia of the Eastern states who had joined him could not therefore exceed five thousand.

"The firing of a tar barrel and the discharge of a cannon collected instantly four thousand of the New-Jersey Militia, who joined and co-operated with the army under His Excellency General Washington in his pursuit of the enemy through that State—and—*N.B.*—this was in the time of harvest.

"The Eastern Volunteers, who comiposed about one moiety of General Sullivan's army, took occasion to return home before the General's retreat, leaving him and the other moiety of troops on the island.

"The Jersey Militia continued with General Washington till the enemy was routed, and their assistance no longer necessary.

"General Sullivan seems to complain a little of the Eastern Militia's *going off and reducing his army to little more than the amount of those of the enemy.*

"General Washington declares his *deep sense* of the services of the New-Jersey Militia in *opposing the enemy in their march from Philadelphia, and for the aid which they had given to harrassing and impeding their motions, so as to gain time for his troops to come up with them.*

"Congress by their resolve of the tenth ult. declare their *high sense* of the *patriotic exertions* made by the four Eastern states on the late expedition against Rhode-Island.

"BUT,

"By no resolve have Congress ever manifested *any sense* of the *patriotic exertions* of the State of New-Jersey, whose Militia have twice put to the rout nearly the whole army of the enemy in their marches through that State."

I had finished reading this paper, and was entering upon reflections in order to reconcile the conduct of Congress from a persuasion that they never wilfully err, when my pipe dropped out of my hand; the clattering upon the floor startled and awoke me.

Now I am awake, let me, Mr. Printer, say what I should probably have dreamt had not the breaking pipe disturbed me.

From the sentiments which I entertain of the wisdom of Congress, I am perfectly satisfied the partiality implied in the fairy tale did not arise from a predilection in that august body to any particular

state or states, but from mere inadvertency. Inadvertence, howbeit the common failing of human nature, should not too often appear in the acts of those who are appointed guardians of an infant empire, and with the most profound respect for the **FREE CHOICE OF THE PEOPLE**, I claim the liberty of the press to inform them that all their proceedings in and out of doors are inspected by

AN OLD MAN.

MS not found; reprinted from the *Pennsylvania Packet; or the General Advertiser*.

¹ Although this letter had been written by October 1, it appeared in the October 3 issue of the *Pennsylvania Packet*. For Laurens' authorship of it, and its derivation from a September 17 letter to him from William Livingston, see Laurens' second letter to William Livingston of October 1, 1778, note 3; and Livingston, *Papers* (Prince), 2:440-42, 453n.4, 458-59.

Cornelius Harnett to Richard Caswell

Sir,

Philadelphia 4th October 1778.

By this express your Excellency will receive the 400,000 dollars mentioned in my last.¹ Should there be a necessity for a further supply for marching the 3000 Militia to South Carolina, I could wish you would be pleased to mention it to your Delegates, and unless the Temper of Congress should suddenly change, I believe it may be procured. Congress have found it absolutely necessary to continue the embargo, until the last day of January finding it almost impossible to supply the Army and French fleet with bread unless it can be taken out of the hands of Engrossers and Monopolizers. A request is accordingly made to the States for this purpose, which the President sends on by Express. How far this may effect our State I know not, no supply of bread is however expected from that Quarter.

As the General Assembly are to sit the next month, I could wish with my Colleagues to receive their particular Commands; we find from experience that requisitions from States come with much greater certainty of Success through the channel of their Governors than by a bare requisition from the Delegates, not having an instruction from authority to produce, I therefore hope your Excellency will be attentive to this circumstance.

The Circumstances of the Enemy still in the Opinion of Congress seem to indicate an evacuation of their Ports on the Continent, 'tis imagined some of their Troops will go to the West Indies, some to Europe and some to Halifax or Quebec. That the French are already in possession of the Island of Dominica, we have pretty good Authority for. It is also believed that an Attack on Jamaica is also intended. We hope the French & Spaniards will cut out work enough for the

Enemy at a distance from these States, which will at least give us a breathing spell. A large foraging party have been landed in West Jersey some time, the States have no Army in that quarter to oppose them. The french Fleet still remain at Boston. Lord Howe is too strong for them at Sea. We do not yet hear of any new instructions received by the British Council, whether Britian will acknowledge Our Independance or not seems therefore doubtful as yet.

I take the liberty to enclose the last Newspapers, and shall be happy in receiving a line from you.

I have the honor to be with great respect your Excellencys Mo.
Ob. & very hume Servt. Cornl. Harnett

Tr (Nc-Ar: Governors' Letter Books).

¹ See Harnett to Caswell, September 26, 1778.

Henry Laurens to Richard Caswell

Sir

4th October [1778]

My last Letter to Your Excellency was under the 26th Ult. by Messenger Jones.

Within the present Cover will be found two Acts of Congress viz.

One of the 29 Sept. for enabling the States of Virginia and North Carolina to purchase certain Cannon now lying in North Carolina which had been imported on Accot. of the United States.¹

And one of the 2nd Inst. for extending the present Embargo on Provisions to the last day of Jaunary 1779, and for divers other purposes therein mentioned.²

And inclosed Your Excellency will also find extract of a Letter from a Correspondent of mine in Camp giving a melancholly Account of a late advantage gained by the Enemy over Colonel Baylors Regiment of Horse and some of the Jersey Militia.³

I have the honor to be &c., With very high Esteem And the utmost Respect, Sir, Your Excellency's Most Obedient & Very Humble Servant.

LB (DNA: PCC, item 13). Addressed: "Governor Caswell, North Carolina. By Mr. Forbes to Baltimore."

¹ JCC, 12:968.

² This day Laurens also sent a nearly identical letter to Gov. Patrick Henry of Virginia with these two resolves, and one to Gov. Thomas Johnson of Maryland enclosing Congress' resolve on extending the embargo on provisions. PCC, item 13, 2:95; Red Books, MdAA. For the troublesome issue of extending the provisions embargo, see Laurens to Rawlins Lowndes, October 6, 1778, note 1.

³ Laurens' enclosure bore the heading "Extract of a letter from a Gentn. in Camp dated 29th Sept. 1778." Governors' Letter Books, Nc-Ar.

Josiah Bartlett to Mary Bartlett

My Dear

Philadelphia 5th October 1778

Yours of the 19th ulto. was handed me yesterday by Colo Samuel Folsom and am Sorry that Mr Wentworth Should Say any thing to Dr Gale that Should give you Uneasiness on account of my health. About 2 or 3 weeks in September I was Something ailing with a pain in my head as I believe I wrote you, but not so as to prevent my attending constantly to Business; Since the weather has grown Cooler & I have used more Exercise I find my health pretty well Restored. The sickness in the City I am told is much abated and as the weather is now Clear & pretty Cool I hope it will brace me up So as in future to be in no Danger from the unhealthiness of this Climate while I tarry here, which I hope will not be longer than till the forepart of next month. As soon as I can Return with propriety you may Depend on it I shall, but as it Depends on a number of Circumstances I Cannot be Certain as to the time but think it very probable I shall see you sometime next month.

Your letters have lately Come more regularly & I believe I have Received all you have wrote to me before the 19th of September & hope mine to you have & will come Safe & Seasonably to your hands. Remember my Love to my Children and to all inquiring friends.
Yours, Josiah Bartlett

RC (NhHi: Watt Collection).

Samuel Holten's Diary

[October 5, 1778]

5. Monday. Congress were informed that the enemy were endeavouring to distroy the vessels & stores at Little Egg Harbour, in the State of the Jersey's.¹

MS (MDaAr).

¹ For Congress' response to this intelligence, see Charles Thomson to the Board of War, this day.

Henry Laurens to Rawlins Lowndes

Sir

5th October [1778]

Since my last Address under the 26th Ultio. by Messenger Millet, I have had the honor of receiving and presenting to Congress Your

Excellency's favor of the 31st August—this has been a week in the hands of a Committee & remains unreported therefore I am without subject for reply.¹

My present duty is to forward two Acts of Congress viz.²

1. Of the 2nd Instant for continuing the present Embargo on Provision until the last day of January 1779 and for divers other purposes therein mentioned.

2. An Act of this date for exchanging with Continental Currency such local Bills of Credit as have been received in the Loan Office of each State respectively.³

These will be found within the present Cover.

I have the honor to be &c.

LB (DNA: PCC, item 13).

¹ President Lowndes' August 31 letter to Laurens, in which he had sought clarification of a 1776 congressional resolution pertaining to the authority of state officials to appoint Continental officers in the several states, is in PCC, item 72, fols. 465-68. For the disposition of this issue, which was referred to committee on September 29 and resolved on November 17, see Laurens to Benjamin Lincoln, November 24, 1778, note 3.

² See JCC, 12:976-77, 982-83. Laurens transmitted these two resolves of Congress to the remaining states (except Georgia, for which see note 3 below) in letters dated October 7, 1778. PCC, item 13, 2:98-102.

³ Laurens sent a copy of this resolve to Georgia enclosed in an October 4 letter to Gov. John Houstoun explaining Congress' October 2 extension of the embargo on provisions. PCC, item 13, 2:96-97.

Richard Henry Lee to Horatio Gates

Dear Sir,

Philadelphia Octr. 5th 1778

I thank you for your obliging letter by Dr. Johnson.¹ That gentleman has been pleased to promise that he will call for an answer, should he not, this letter must find its way by the safest hand I can meet with. There can be nothing in nature more clear than that large Magazines of bread provision at least, are indispensable in the East; and every nerve is, and has for some time been straining to accomplish this purpose. Distance and the want of safe means for water conveyance, are considerable obstructions; but a far greater than these are a pernicious set of Miscreants called Engrossers, who by the redundance of money, have sprung up in multitudes like Mushrooms in heat and moisture, and they in the midst of plenty are creating an artificial scarcity which threatens much mischief. We have sent such recommendations to the different States, as if adopted, will I hope occasion these mercenary Wretches to suffer in the way that will hurt them most. I hope the various measures we have taken, will prove, tho slow, effectual in the end. Some considerations

induce me to think that the enemy will not attempt Boston, notwithstanding the Object is so tempting under its present circumstances. For, if *success* presents advantages and great ones too, *failure* is most certain ruin. In fact more may be lost than can possibly be gained. Gen. Clintons Army is the only hope of Canada, Nova Scotia, Floridas, West Indies, and perhaps I may safely add, very much of G. Britain & Ireland. Should Burgoynes fate be Clintons the four former possessions are infallibly lost, and the two latter shaken to their foundations. *Revenge* must therefore be postponed to *safety*, and keeping what they have must precede the recovery of what they have lost. We hear pretty directly, that Dominica is already in the possession of our Ally, and that Jamaica and St Kitts are trembling for fear. Admiral Keppel too, it seems, has fled from the fleet of France. These things do not admit a much longer stay here. However we ought in wisdom, to be completely guarded against every attempt, and every one of us, in his Station should be contriving to that end.

My brother Arthur will be happy to hear from you, for I know he considers your Victories as contributing more essentially than anything else to place us on the ground of security and honor upon which we now stand.

I am, with sincere esteem and affection, dear Sir your obliged friend,
Richard Henry Lee

RC (NHi: Gates Papers).

¹ Gates' September 23 letter to Lee is in the Lee Papers, PPAmP.

Richard Henry Lee to Thomas Jefferson

Dear Sir

Philadelphia October 5, 1778

A few days past, since the last post left us, Mr. Harvey presented me your favor of August of 30th,¹ to which this is an answer; and which I shall direct to Williamsburg upon a supposition that the Assembly has called you there by the time the letter can reach that place. The hand bill you have seen was certainly written by Mauduit, and circulated under the auspices of administration.² 'Twas intended to feel the national pulse, and to prepare its mind for the reception of events, which are now become unavoidable. I agree with you Sir that the fishery is a most important point nor will the limits of Canada be with less difficulty settled in those negotiations which precede a peace. The arrival of Adm. Byrons Squadron has given to our enemies a temporary superiority in those Seas. The sending him here was more necessary than it can be called bold. But the fleet of Great Britain is, by this detachment, rendered inferior to that of France in the Channel of England. My brother informs me from

Paris July 4 that an engagement is every day expected between the two fleets. Later accounts say it has happened and that the English fleet was beaten. Our information from the West Indies says that Dominica is fallen, and that Jamaica and St. Kitts are in Jeopardy. I believe our enemies would willingly change their war of conquest into a war of revenge, but revenge must be postponed to safety; and I think they will rather endeavor to save what remains, than endeavor to get back what they have lost, or to gratify their malignity put Canada, Nova Scotia, the West Indies, and even G. Britain and Ireland in danger. But wisdom points to precaution, and they may attempt Boston as some think, in order to destroy the french Fleet. If they do and fail in the attempt, they will be defenceless in every part of the world by the destruction of the only army on which they can hang their hopes. I have a very high opinion of the republican principles and of the ability of Mr. Mazzei, and I think that if Mr. Maddison were sent to Genoa with him for Secretary we might have a good chance to succeed in borrowing there one of the millions, five of which are absolutely necessary to sustain, and restore our falling currency.³ To cultivate a good understanding with the nations in the south of Europe is undoubtedly wise policy, and may produce the most profitable consequences. These affairs will come presently under the consideration of Congress, when I shall not forget the useful possession of Mr. Mazzei. Mr. Izard is the Commissioner for Tuscany, my brother William is appointed both for Vienna and Berlin. He has been sometime at the former Court, but the latter refuses to receive a Minister from us or to acknowledge yet our Independance, altho he did by his Minister most unequivocally promise my brother he would do so, as soon as France should set the example. Since this, he has quarreled with the Emperor about the Bavarian succession, and wanting the aid of Hanover, Hesse, Brunswic &c. he chooses to be well with England. The Emperor is not a little puzzled in the same way and for the same reasons. Tis a matter, not of the greatest moment to us at present, since the war between the two Giants will swallow up in their respective vortices the lesser Tyrants and thus prevent him of England from bringing German Auxiliaries to distress our Alliance. There is nothing that threatens so much injury to our cause at present as the evil operations of Engrossers. If something decisive is not quickly done by the Legislatures to stop the progress of Engrossing, and to make these Miscreants deliver up their ill gotten collections, the American Army must disband, and the fleet of our Allies remain in Boston Harbor.⁴ I know the root of this evil is in the redundance of money, but until the latter can be reduced some measures are indispensable, to be taken with the Engrossers. You will see the expedients devised by us. A more radical cure will follow shortly, in a proposition of Finance now under consideration. I am

so greatly pressed with business that I cannot now write to Mr. Mazzei and must beg the favor of you to make this apology for me. [Be so k]ind as remember me affectionately to Mr. Wythe & Colo. [. . . i]f he is with you. I am affectionately yours,

Richard Henry Lee

P.S. Colo. Baylor, with a Corps of 60 light Dragoons, was lately surprised in the Jerseys, between Hackensack and the North River—Himself made prisoner, and his party chiefly put to the Bayonet, it is said, in cold blood.

RC (DLC: Jefferson Papers).

¹ See Jefferson, *Papers* (Boyd), 2:210–11.

² This “hand bill,” which Jefferson had stated was “published in our papers as certified by your brother [*i.e.*, Arthur Lee],” had appeared in John Dunlap’s *Pennsylvania Packet* on August 22, 1778, described as “a handbill, written by Mr. Mauduit, under the direction of Lord North, and circulated through England by order of Administration.” Interest in the document derived from the fact that Israel Mauduit, a longtime ministerial defender of British rights in America and former colonial agent for Massachusetts, had asserted in it: “We have no possible chance of making peace with her [America], but by . . . giving her perfect independence.” It had been published in London in March 1778. See Henry Laurens to Washington, July 31, 1778, note 12.

³ In his August 30 letter to Lee, Jefferson had suggested that his friend Philip Mazzei might be “usefully employed” with William Lee in Europe. “His connections,” Jefferson asserted, “in Tuscany are good, his acquaintance with capital men there, in Rome, and Naples great. He also resided some years in Constantinople where he contracted a knolege of the customs of the country, the mode of doing business there and of some respectable characters which might perhaps render him more able to be useful to us than many others.” Jefferson, *Papers* (Boyd), 2:211.

⁴ For the Virginia legislature’s June 1779 bill on “Engrossing,” see *ibid.*, pp. 561–66.

Richard Henry Lee to George Washington

Dear Sir,

Philadelphia October the 5th 1778

I hope the measures you have taken will be effectual to the purpose of reenlisting the Army because it is an object of great importance; and I readily admit the propriety of first trying those methods which promise fewest ill consequences. Danger will only arise from pressing such too far, and urging the experiment too long. I very much fear Sir, that the knowledge of depreciation has reached the most uninformed, and therefore, that every evil which can, will happen to us from this cause. But I am not without hope that such measures will be adopted as may, before it is too late, restore our currency to its proper value.¹

It is indeed no easy matter to judge of the designs of the enemy. They have created to themselves a great choice of difficulties. I

believe they would willingly change their war of conquest to one of Revenge altogether, but revenge must be postponed to safety. Gen. Clintons Army is the only hope of Canada, Nova Scotia, Floridas, the West Indies, and I may safely add, much so of Great Britain and Ireland. Whilst this is the case, altho Boston in its present situation is a very tempting object, I cannot think they will undertake it. However, what can be attempted may be attempted, and wisdom points to precaution. If it be true, and our information comes pretty direct, that Dominica has fallen, that Jamaica and St. Kitts are in jeopardy, and that Keppel has fled from the fleet of France, we may suppose that our enemies can make no long stay with us. Distance and Land carriage distress us greatly in the article of bread provision, to which is added an artificial scarcity created in the midst of plenty, by an infamous set of Engrossers who have raised the price of flour from four dollars an hundred to five and six pounds. I hope the measures we are taking with these gentry will make them suffer in a way most hurtful to them.

Mr. Custis had quitted this City before your letter came to hand, and as he is gone to the Army, I have inclosed the letter in this.

I am, with much esteem and regard dear Sir your most obedient and very humble servant,

Richard Henry Lee

RC (DLC: Washington Papers).

¹ For Washington's September 23 letter to Lee, in which he had discussed recent measures taken to reenlist Continental troops and the impropriety of paying bounties in specie, see Washington, *Writings* (Fitzpatrick), 12:484-85.

Henry Marchant to William Greene

Sir,

Philadelphia Octr. 5th 1778

Your Exceclency's Favour of the 25th of Sepr. I recd. Yesterday.¹ I could have wished to have had any tollerable Estimate of the Loss sustained at Bedford. The Stock taken off at the Vineyard I have heard was very considerable especially in Sheep.

The Enemy are now foraging in the Jerseys. Was it not that our Enemies get well provided thereby, it would be some Consolation, that they were plundering amongst the Tories—Their very good Friends. A considerable Number of Our Light Horse were surprised in their Quarters in the Jerseys—And it is said many were put to Death most barbarously after they had surrendered themselves. The Particulars are not yet come to Hand. The Facts if established, will come under serious Consideration of Congress. We are just now alarmed with the Appearance of about twenty sail of the Enemy off Little Egg Harbour, which it is supposed the Enemy mean to Pillage

of the considerable Wealth there collected by privateers &c. The Jersey Militia are called out—and we hope they will be able to give a Check to those Free Booters. However, many People seem not much to distress Themselves to preserve the Property of Men collected and lodged about in private Corners to wait for, and to enhance the present intollerable high Prices.

With Respect to the Embargo in Connecticut upon Wheat &c it much surprises me. I have spoken to Mr. Sheurman the only Connecticut Delegate now here, and a very worthy Character; and he promises me he will immediately write Home upon the Subject. Congress are doing every Thing in their Power to provide, or procure the sending of Wheat &c into the Eastern States; and are calling loudly upon the Southern States to make Examples of monopolizers of Provision. At the same Time it is expected that the Eastern States will not suffer Their own People to buy the Provision up in large Quantities, and that no Person will be allowed to hold, or purchase more for himself than may be necessary for his Family Consumption—And that Laws be immediately provided agt. such a Practice, and that those Laws extend to *Rum & Spirits*, & every other Article of Life, or that may be wanted for the Army. Extortioners, & monopolizers must have a twisted Bitt put into their rapacious Mouths. This is doing to the Southward—I say again it is expected you foll[ow] the Examples. I am yr. Excellcy's very humble Serv,

Hy Marchant

RC (R—Ar: Letters to Governors).

¹ Gov. William Greene's September 25 letter to Marchant is in William R. Staples, *Rhode Island in the Continental Congress 1765–1790* (Providence: Providence Press Company, 1870), pp. 201–2.

Joseph Reed to John Armstrong

Dear Sir

Philad. Oct. 5, 1778

Acknowledgements of Friendship tho late are never unseasonable. I therefore set down to thank you for your Favour which I received in August last. Your Partiality as well as that of many others has form'd Views & Expectations for me which a Sense of my own Incapacity & a Knowledge of the Envy & Anxiety attending Offices of an elevated Kind would have totally forbid. My own Wishes were for private Life but I have been induced to give them up from a very full Conviction that our whole Strength & Union is necessary to oppose the Designs of those who are equally Enemies to us & the Happiness of America as founded on its Liberty & Independance. I have therefore given myself up to the publick at least for a Time, & I

most earnestly hope that the same Motives which have influenced me will have their due Effect upon your Mind & lead you forward. The Designs of a Tory, Proprietary Quaker Party are too obvious; & if not crushed in the Bud will produce a plentiful Crop of Mixing & Dissension thro this State. The Limits of a Letter are too narrow to say all that I could upon this Subject. I hope in the first place that you will not decline your Support & Assistance at this critical Period if you should be called on—& in the next that you will take as early an Oppy. as possible to see us in this City where there are many Things worth your Knowledge which Time & Prudence will not allow me to trust to Paper.

After fighting the open Enemies of our Country, I have now devoted my poor Talents to its Service in pleading its Cause against those Wretches who have secretly been endeavoring to ruin it.¹ I have only Time to sum up my best Wishes for your Health & Happiness & assure you that I am with a very sincere Regard, Dear Sir, Your Affect. & Obed. Hbble. Serv.

Jos. Reed

RC (Phi: Dreer Collection.) Addressed: "Major Gen. Armstrong, Carlisle."

¹ For Reed's appointment as assistant to the Pennsylvania Attorney General, for the purpose of prosecuting "those Wretches who have secretly been endeavoring to ruin [our country]," see Reed to George Bryan, September 2, 1778, note.

Secret Committee Minutes of Proceedings

Octr. 5th. 1778.

After various applications to the Members of the Committee to meet, wch. they were prevented from doing by the multiplicity of business on their hands in other Committees this day, Met

Francis Lewis

Robert Morris

absent

R. H. Lee

Thos. McKean

Bartlett

who being very desirous to promote the settlement of these Accts. agree immediately to hire, a capable Clerk to enter on the business if such a one can be found, & Mr. Morris is desired to agree with him on the best terms in his power.¹

MS (MH-H: Lee Papers). In the hand of Richard Henry Lee.

¹ This entry in the "Journal of the Secret Committee" records the final official act of that body. It appears on the final page of a copy of that document immediately after the following note by Richard Henry Lee. "At the end of this Journal is the followg. entry in the handwriting of Robt. Morris—Philada. In Congress Sepr. 4th. 1778. Resolvd. that the Members of the Secret Committee now present, be a

Committee to close the Accounts of that Committee and deliver them to the Committee of Commerce, and that sd. Committee be authorised to employ proper persons for adjusting & closing the Accounts of the Secret Committee. Extract from the Minutes, C. Thomson." For information on this copy of the "Journal of the Secret Committee" and the previous steps taken to wind up the committee's work, see these *Letters*, 2:73-74, 7:194n.3. See also *JCC*, 12:878-79.

Charles Thomson's Notes on William Carmichael's Examination

Monday, Octr. 5, 1778¹

[Q.] Are you sure that the public had any share in those two vessels wch. were purchased in the Mediterranean?

[A.] I apprehended at the time that they had and my reason for apprehending was that the captain had a continental Commission, I thought they were on the same footing as those fitted out at Dunkirk.

[Q.] Were you any wise concerned in equipping Capt. Cunningham from Dunkirk?

[A.] I was no ways concerned in the equipmt. I was sent by Mr. Franklin & Mr. Deane to facil[it]ate the departure of that vessel from the port.

[Q.] Was Capt. Cunninghams vessel fitted at Dunkirk more than once?

[A.] Capt. C. commanded two vessels from that port, one a Lugger, the other a cutter.

[Q.] Were they fitted at the same time?

[A.] At different times.

[Q.] Were they or either of them public or private property?

[A.] I apprehended that each of them were part public and part private but I do not certainly know.

[Q.] When you were sent to dispatch these vessels did you consider yourself as acting for the public or for private persons?

[A.] Every service I performed for the commissioners I considered as done for the public, and so I considered in this instance.

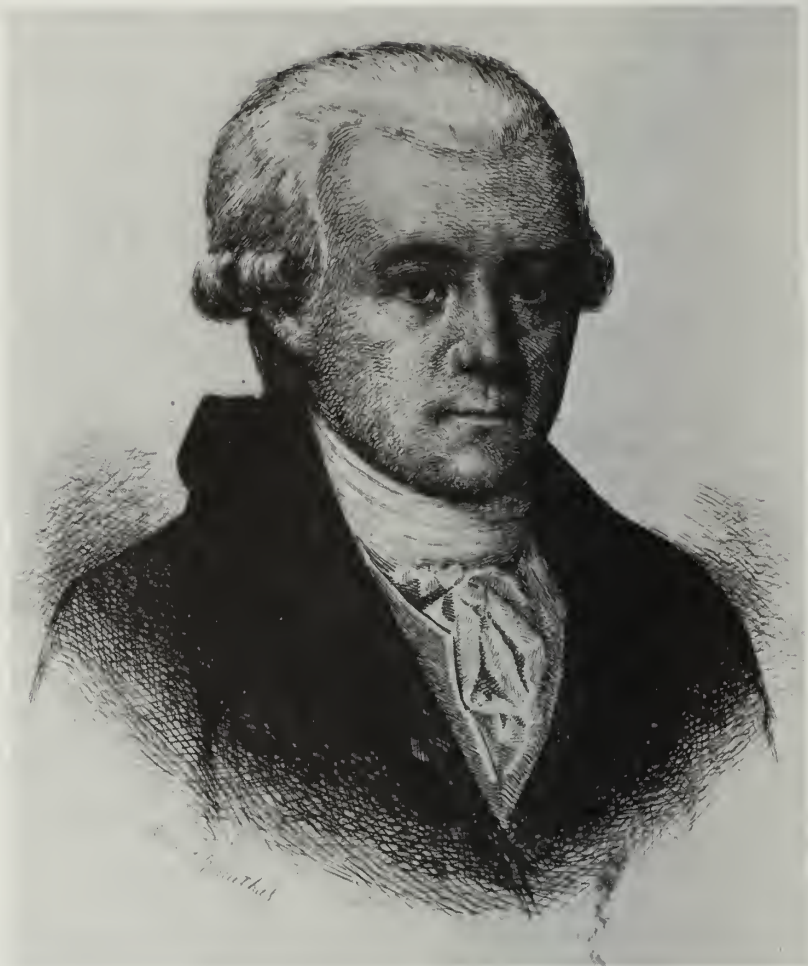
[Q.] What reason had you to consider these vessels as part private property?

[A.] From conversations I had at the time particularly with Mr. Hodge I had reason to apprehend he was concerned.

[Q.] Had you reason to suppose that Mr. Deane was concerned or any of the Commrs?

[A.] I did apprehend at that time that Mr. Deane was concerned in the first equipmt.

[Q.] What reasons induced you to apprehend that Mr. Deane was concerned in the first equipmt?



William Carmichael

[A.] I cannot recollect the reasons that induced that belief but I know that I did at the time apprehend he was concerned.

[Q.] At what time was the first equipment made, What year & wt. month?

[A.] At present I cannot precisely recollect. I think it was in the spring 1777. The capture of the Harwich packet will nearly point out the time of the sailing.

[Q.] Do you know if any and what instructions were given to Capt Cunningham respecting that cruise?

[A.] I think there were instructions given but I cannot be particular what those instructions were.

[Q.] Do you recollect whether those vessels or either of them were ordered to cruise on the coast of England?

[A.] I do not know particularly the instructions given to the capt of the two vessels. I believe the object of the cruise was for one of the Harwich packets.²

[Q.] Was this equipmt. at Dunkirk made with or w[ithou]t the knowledge of the french Ministry?

[A.] I cannot answer as to the knowledge of the french Ministry.

[Q.] Did you ever hear that the french Ministry objected to it?

[A.] I know they gave proofs that it did not appear to be agreeable, for the capt was imprisoned upon his return to Dunkirk.

[Q.] Did you hear that the french Ministry objected previous to the sailing?

[A.] I do not know that they knew of the first vessel previous to her sailing, therefore they could not object to the equipmt.

[Q.] Did you ever hear that the french Ministry offered to pay the expence of equipping those vessels or either of them to prevent their sailing?

[A.] Of the first vessel I never heard that they did, of the Second I heard after she had sailed that they had given orders to pay the expence to prevent her sailing.

[Q.] Did you understand that much diligence was used to push these vessels or either of them out of Dunkirk to prevent the effect of the Measures the fr. Ministry had taken to stop their sailing?

[A.] With respect to the last I believe all possible diligence was used to Accelerate her departure to prevent measures from being taken by the Ministry to stop her sailing.

[Q.] Did you ever see or hear of a letter or letters written by the Count de Vergennes to Mr. Grand or the Commrs. complaining of this measure?

[A.] I have heard that there was such a letter but I do not know whether to Mr. Grand or the Comrs.

[Q.] Do you know whether the Comrs. had recd. any order from

Congress or the Secret Comee relative to the fitting out of these two vessels?

[A.] I do not know whether they had recd. orders relative to the fitting out of these two vessels.

[Q.] Did you ever hear that they had?

[A.] I never heard that they had recd. orders to fit out these two vessels particularly. I heard that they had general orders to fit out vessels.

[Q.] Do you Mean vessels of force to cruise agt. the enemy?

[A.] I do; because they recd. Continental commissions for the captains.³

MS (DNA: PCC, item 54). In the hand of Charles Thomson.

¹ For Carmichael's appearance before Congress this day, see *JCC*, 12:983-84; and Charles Thomson's Notes on William Carmichael's Examination, September 28 and 30, 1778.

² In the printed version of Henry Laurens' notes on Carmichael's examination, the preceding question and answer contain additional information and read as follows.

"Q. By Mr. Lee. Do you know that the vessels or either of them, were ordered to cruise on the coast of England?

"A. I speak to the first vessel, I believe the object was to cruise for one of the Harwich packets. I myself gave directions." See Charles Thomson's Notes on William Carmichael's Examination, September 28, 1778, note 2.

³ On October 14 Congress assigned Monday October 19 "for the further examination of Mr. Carmichael," but no evidence has been found to indicate that Carmichael ever resumed this testimony. On November 13 the Maryland House of Delegates elected him a delegate to Congress, and on the 19th he took his seat. *JCC*, 12:1010, 1141-42.

Charles Thomson to the Board of War

Gentlemen,

[October 5, 1778]¹

It is the desire of Congress that you order all the Officers belonging to Count Pulaski's legion & who are now in or near Philadelphia to repair with all possible expedition to & join their legion and that you make out the commissions and send them by express after them.

Chas. Thomson secy.

FC (DNA: PCC, item 59).

¹ This letter was drafted on the verso of "A List of all the Officers belonging to [Casimir Pulaski's] Legion," at the bottom of which Thomson appended the following note. "In Congress Oct. 5 1778. The above list approved and thereupon Resolved That commissions be made out for the officers in Count Pulaski's legion and dispatched to them by Express by the board of war." PCC, item 59, fols. 127-28. For Congress' resolve this date ordering Pulaski's legion "to proceed immediately to assist in the defence of Little Egg Harbour against the attack now made by the enemy on that port," see *JCC*, 12:983-84.

Samuel Adams to Samuel Phillips Savage

My dear Sir

Philad. Oct 6—78

I receivd your favor of the 23d of Sept. by yesterdays Post. You tell me that Boston is become a new City, and explain your self by mentioning the exceeding Gayety of Appearance there I would fain hope this is confin'd to Strangers. Luxury & Extravagance are in my opinion totally destructive of those Virtues which are necessary for the Preservation of the Liberty and Happiness of the People. Is it true that the Review of the Boston Militia was closd with an expensive Entertainment? If it was, and the Example is followed by the Country, I hope I shall be excusd when I venture to pledge myself, that the Militia of that State will never be put on such a Footing as to become formidable to its Enemies. I am told that such a Practice is contrary to the Letter of the Militia Act. I trust that I was misinformd when I was told that it was countenanced by those who of all Men ought pay the most sacred Regard to the Law. Are we arrivd to such a Pitch of Levity & Dissipation as that the Idea of feasting shall extinguish every Spark of publick Virtue, and frustrate the Design of the most noble and useful Institution. I hope not. Shall we not again see that Sobriety of Manners, that Temperance, Frugality, Fortitude, and other manly Virtues wch were once the Glory and Strength of my much lov'd native Town. Heaven grant it speedily! Adieu.

FC (NN: Adams Papers). In the hand of Samuel Adams.

Josiah Bartlett to Meshech Weare

Sir

Philadelphia October 6th 1778

By the vote of the Legislature of our State of the 19th of August last, I find it will Require two Delegates to Represent the State after the first of November next, the reason of which I suppose was that they Expected (as I Did) that the Confederation would be Ratified by all the States so as to take place at that time, But as neither Jersey, Delaware nor Maryland have yet agreed to it, and as we have been informed within a few Days that the Legislature of Maryland is adjourned to December, it is now Certain it Cannot take place So Soon as was Expected and there is a probability at least that it may not take place for a Considerable time to Come. I would therefore Earnestly Recommend it to a General Court as Soon as they meet, to pass a vote authorising any one of their Delegates to Represent the State in Congress until the Confederation is Ratified by all the

States; and that the vote may be forwarded to your Delegates here as Soon as possible. The utility (if not necessity) of Such a vote is So obvious that I need not Say anything in favor of it, and only Request that it may be attended to.¹

Your Letter to the President of the Congress of the 18th of September, was handed me by Colo Samuel Folsom who arrived here the 4th Inst. and was yesterday Read in Congress.² I have Obtained a Grant for the State of One Hundred & fifty Thousand Dollars to be sent you out of the Treasury here; also an order on the Loan Office in New Hampshire for fifty Thousand Dollars and am in hopes I shall procure the money So as to Dispatch Colo Folsom in a few Days.³

Your letter to me by Col. Folsom I have also Received.

You will find in the inclosed newspaper an additional act of Congress Relative to wounded & Disabled officers & Soldiers.⁴

I am Sir with the greatest Respect your most obedient Servant,
Josiah Bartlett

RC (Nh-Ar: Weare Papers).

¹ New Hampshire did change its quorum requirement on October 31, 1778, to allow one delegate to represent the state in Congress until the Articles of Confederation should go into force. *N.H. State Papers*, 8:789, 798.

² Weare's letter is in PCC, item 64, fols. 41-44.

³ Congress took this action almost immediately after reading Weare's September 18 letter. He had inquired when New Hampshire's accounts would be audited and explained that according to his figures the state was due £73,230 for Continental expenditures already made.

⁴ On September 25 Congress had extended the benefits that were available to soldiers and sailors disabled after August 26, 1776, to those who had incurred such disabilities before that date. *JCC*, 12:953-54.

Cyrus Griffin to Thomas Jefferson

Philadelphia, Octo. 6th 78

You will be good enough, my dear Sir, to excuse this Letter. There are but few Men indeed with whom I could wish to be thus candid. It appears to me that Congress will shortly be dissolved. If the large Emissions of Money, and visionary Expeditions do not bring forth our destruction, I greatly fear that *Party* will complete the matter. Congress exhibit not more than two or three Members actuated by Patriotism. Great questions are carried every day in favor of the East-ward, and to the prejudice of the Southern States. Great questions are now upon the Carpet and if determined in the affirmative will do excessive Damage to Virginia and Maryland particularly. At present we are under secrecy—perhaps in a little time I shall think myself obligated to quit Congress; I will not sit in a house whose proceedings I cannot assent to with honor, nor is it in my

abilities to oppose them with success.¹ I value most what our great Politicians value least. Congress are at present a Government of *Men*. It would astonish you to think how all affairs proceed upon the interested Principle: Members prostituting their votes in expectation of mutual assistance upon favorite Points. I am apprehensive that in getting free from oppression in one quarter, we are likely to establish it in another; by avoiding one set of Plunderers we are certain to fall into the Clutches of a still more dangerous set. I am sorry our good Friend Harvey is about to leave Congress; he is a valuable man in times like the present, a man of great virtue and boldness of Spirit. If the Land office should be established, put him at the head of it; his abilities and honesty will be highly necessary in that Employment. The motions of the Enemy are very uncertain; there is an expedition going forward on the part of General Clinton, but to what object is merely conjecture, perhaps to Boston—New England and the French Fleet are powerful inducements. All Circumstances considered, I believe they are going to guard the remaining parts of their Dominion. In the mean time they will destroy everything they possibly can, and I should not wonder if Philadelphia² itself was reduced to ashes before their departure. As yet Spain have taken no part to our advantage, indeed Arthur Lee still remains at Paris. The Court of Berlin have refused William Lee the Commissioner of Congress to that quarter: he is now gone to Vienna,³ the most accomplished Metropolis in the world. We are plagued to death with quarrels and recriminations relative to our Commissioners abroad; these men will involve the Continent in perdition. It is absolutely necessary that Dean should be sent over to Europe for the most valuable purpose in the world, but some Gentlemen are determined to ruin an innocent Character, notwithstanding he alone has the great merit of concluding that valuable Treaty with the Minister of France. Tell MacLurg and President Maddison they are both s—— in not answering my Letters. The next I write you will be in a different stile; this only by way of preface. I must beg to trouble you with my best respects to Mr. Wythe.

I am dear sir, your obdt humble servant,

C. Griffin

RC (DLC: Jefferson Papers).

¹ Despite his disenchantment with its proceedings and his departure from Congress about two weeks later, Griffin returned before the end of the year to begin another term that continued until he was appointed by Congress to its newly created Court of Appeals in the spring of 1780. Furthermore, after serving seven years in that capacity he was reelected to Congress by the Virginia Assembly in October 1787 and served the following year as the last president of Congress. *DAB*.

² Griffin's incongruous reference to Philadelphia in this context suggests a simple slip, for at this moment many Americans were anticipating the British evacuation of New York.

³ For information on William Lee's reception in Vienna, where he met a similar rejection, see Karl A. Roider, Jr., "William Lee, Our First Envoy in Vienna," *Virginia Magazine of History and Biography* 86 (April 1978): 163-68.

Henry Laurens to Robert Howe

Sir

6th October [1778]

I have lately had the honor of receiving and presenting to Congress many of your Letters, but I have nothing in Command respecting you except the inclosed Resolutions of the 25th of September, directing you to repair immediately to General Washington's Head Quarters and Major General Lincoln to take the Command in the Southern Department.¹

I have the honor to be &c.

LB (DNA: PCC, item 13). Addressed: "Major General Howe, Charlestown. by Dugan to Baltimore, there to be deliver'd Colo. Ternant."

¹ See JCC, 12:951. For additional information on Howe's removal from the southern command, and a brief analysis of his Continental career in the South, see Cornelius Harnett's letters to Richard Caswell, September 26, note 3, and November 24, 1778; and Alan D. Watson et al., *Harnett, Hooper & Howe: Revolutionary Leaders of the Lower Cape Fear* (Wilmington, N.C.: Lower Cape Fear Historical Society, 1979), pp. 80-85.

Henry Laurens to William Livingston

Sir

6th October [1778]

I had the honor of writing to Your Excellency on the 1st Instant.

Inclosed is a Resolve of Congress requesting Your Excellency to obtain information of the Enemys' treatment of the late Lieutenant Colonel Baylor and his Party who were cut off in New Jersey.¹ It has been represented that the unhappy Colonel, several of his Officers, and many of his Troops were Bayonetted in cold blood, should this be proved, I apprehend suitable retaliation will immediately follow a refusal of satisfaction.

I have the honor to be &c.

LB (DNA: PCC, item 13). Endorsed: "by Colonel Beatty."

¹ George Baylor's small regiment had been surprised the night of September 27-28 at Old Tappan, N.J., west of the Hudson opposite Dobb's Ferry. The engagement virtually eliminated the unit as a fighting force, and, as Washington reported, "appears to have been attended with every circumstance of cruelty." The information Congress solicited was collected by Livingston, Gen. William Alexander, and Dr. David Griffith, the surgeon who had attended Baylor's wounded, and referred to the Committee of Intelligence on October 26. The committee

thereupon prepared extracts of Alexander's and Griffith's letters for publication, with a number of affidavits collected from witnesses to the affair, which were printed in the October 29 issue of John Dunlap's *Pennsylvania Packet*. See *JCC*, 12:987, 1062; Washington, *Writings* (Fitzpatrick), 13:14; Livingston, *Papers* (Prince), 2:468-70; and PCC, item 53, fols. 103-34, item 68, fols. 413-16, and item 162, fols. 539-40. For another aspect of Congress' reaction to the Baylor "massacre," see Laurens to John Beatty, October 9, 1778.

Unlike most of the material Congress released for publication, the documents sent to Dunlap at this time survive in PCC, and some of the notations on them shed additional light on the conduct of Congress' publicity activities. Preparation of the extracts for publication was clearly the work of Richard Henry Lee and William Henry Drayton, and Secretary Thomson's note to the printer covering this material reads: "After the whole insert published by order of Congress. Chas. Thomson Secry. Please to send me the papers back when you have done with them and also Col. Hartley's letter which you printed some time ago. I pray you not to neglect sending me back the originals immediately, otherwise I shall not send you any more originals." PCC, item 53, fols. 133-34.

Henry Laurens to Rawlins Lowndes

Dear Sir

6th. October [1778]

I beg leave to refer to my last private of the 26th. Ulto by Millet. This will be delivered by Lieut. Colonel Ternant who is ordered by Congress to Act as Inspector of the Troops of the United States in South Carolina and Georgia. This Gentleman has served as a Volunteer in the grand Army with the highest reputation. South Carolina and Georgia will in Mr. Ternant receive the acquisition of an excellent Officer, and will in turn experience in him a valuable Citizen—his Conduct and manners will speak more in his favor than I can express.

I shall do myself the honor of inclosing with this several Papers of Intelligence which with the information Your Excellency will receive from Mr Ternant and such additions as no doubt will be made by my Colleagues will put Your Excellency in possession of all our present knowledge of public Affairs. In a Letter which I had the honor of writing to Your Excellency the 5th Instant as President of Congress is contained a late Act for continuing the present Embargo, and for preventing engrossing Provision. I shall not trouble you Sir with my opinions on the several branches of this Act but barely remark that when the power of Congress to lay an Embargo was made a question and the voices of each Member called upon—there appeared fourteen in the negative, twelve affirmative—six States affirmative, five negative.¹ Of these six affirmatives, there were three States represented by Units. I am persuaded my Countrymen will Act on this great occasion as shall appear to be for the general good of these United States. If I may offer my sentiments Congress is not

vested with sufficient power to lay a general Embargo and it would be dangerous to vest them with such power in our present system—the recent Act I humbly conceive marks incompetency—nevertheless I think it will promote the public good to restrain the exportation of Provision until January, and therefore I wish there could be a general restraint excepting of such quantities as should be found sufficient for re-equipping the fleet of Count d'Estaing, and a necessary supply to our fellow Citizens in the Eastern States. Under these indulgences and thro the artifices of cunning Men I fear the honest Citizens and fair trader will bear an heavy burthen—So far as respects my non interest altho' I am persuaded the intended prohibition will in several States be evaded, and have doubts whether any regards will be paid to it in Pennsylvania and Delaware I am willing to submit. Articles which the Enemy stand more in need of than either flour or Rice, I mean Tar, Pitch and Turpentine remain unrestrained. I offer'd on this head as many intimations as my situation in the Chair would permit, but without effect.

Inclosed Your Excellency will receive three Bills of Exchange particularized below, amounting to 50,000 Dollars a Draught out of the public Treasury here at the request of the Delegates for the use of South Carolina on Account of her general demand upon the United States²—The funds in the Treasury are so very low and the daily demands on them so enormous we could not venture to ask for a larger sum. The inclosed Note from Monsr. Gerard No 1 I recommend to Your Excellencys particular attention.³ Mr. Ternant will deliver a Copy of General Lee's tryal so far as the Press is gone—Congress will determine hereon in a few days.

Bills—Don Juan de Miralles 28th Sepr 1778 on Danl.

Hall and Co. at ten days sight	40,500
Brown Platt and Russel 9th July 1778 on	
Maurice Simons at ten days sight	7,500
John Head 26th June 1778 on Alexr. Rose	
Esquire at ten days sight	2,000
	<hr/>
	Dollars 50,000

I have the Honor to be, With great Esteem & Respect &c.

H.L.


[P.S.] Schedule of Papers inclosed viz.

- No. 1. Monsr. Gerard on Carolinas raising Men in France.
- No. 2. Extract of a Letter from A Lee June 1st, 1778.
- No. 3. Sir H. Clinton's Letter to Congress with the Secys.
Answer 23d Sepr. 1778.
- No. 4. Govr. Livingstons Letter to the Prest. 28th Sepr.

No. 5. Copy of a Letter from Genl Washington to the President
29th Sept.

No. 6. Extract of a Letter from a Gentleman in Camp 29 Sept.

LB (ScHi: Laurens Papers, no. 16).

¹ For the congressional proceedings on the subject of extending the embargo on provisions from November 15, 1778, to the end of January 1779, see *JCC*, 12:974–79. Although Congress had voted on October 2 to “*continue* the embargo, and recommend it to the states to take measures for enforcing it,” this action apparently did not end debate on the subject. As Laurens indicates here, the additional issue of “the power of Congress to lay an Embargo was made a question, and the voices of each Member called upon”; but there is no mention of such a vote in the journals, and the only evidence for this proceeding is found in a document in Laurens’ hand. In addition to this letter to Lowndes, Laurens made a copy of the vote on this question, doubtless for his personal use, to which he added the following note: “Votes Ay & No on the power of Congress to lay a general Embargo— 2d October  actually taken the 3d late afternoon.” Laurens Papers, ScHi. The vote Laurens recorded for the question called for on the third is identical to that recorded in the journals on the second.

² Congress had voted this advance to South Carolina on September 23. *JCC*, 12:939, 946.

³See the following entry.

Henry Laurens to the South Carolina Governor and Council

Philada. 6th October 1778.

It is reported that the State of South Carolina in sending some Gentlemen to France has instructed them 1st to purchase a certain number of Vessels, 2nd to raise a certain number of troops to be in the pay and immediate service of that State.

It is apprehended that this step executed by a single State in contradiction with the Plan of Confederation could hurt in Europe the Idea of the uniformity of the Governments to rely on Congress for the exertion and application of the common forces and it might be misunderstood or misrepresented to the prejudice of the confidence and the consideration Congress has so justly acquired.

If the concern for all what is conducive to the honor and Credit of the United States may apologize for a reflection offered on that subject, I should venture to say that the best method to prevent any inconveniences is perhaps to send immediate Orders to the Minister of the United States in France, to countenance the demand of South Carolina.

Monsr. Girard having received information as above communicated his sentiments I think it improper to apply to Congress before

I am informed of the facts from Authority in South Carolina.¹ I shall nevertheless consult my Colleagues, and Act by their advice. Monsr. Girard treats the subject with great seriousness.

Henry Laurens

FC (ScHi: Laurens Papers, no. 32). In the hand of Moses Young, and endorsed by him: "Mons. Gerard on Carolina raising Men in France. No. 1. Submitted to His Excellency the President and Privy Council of South Carolina. Henry Laurens. No. 49. Copy."

¹No reply to this letter has been found to indicate how South Carolina responded to Gérard's concern that individual state initiatives abroad might undermine efforts of Congress to speak with a strong and united voice in Europe. Since Alexander Gillon had in fact recently left Charlestown on a mission similar to that described by the French minister, Gérard may well have sent Laurens this cautionary note in response to concern over Gillon's departure. Unfortunately Gérard did not discuss the matter in his surviving correspondence with Vergennes at this time, but for additional information on Gillon's activities abroad, which met little encouragement from the American commissioners at Paris, see D. E. Huger Smith, "Commodore Alexander Gillon and the Frigate South Carolina," *South Carolina Historical and Genealogical Magazine*, 9 (October 1908): 189-92, and Gillon's "Letters," in 10 (January-July 1909): 6-9, 75-82, 131-35; Franklin, *Writings* (Smyth), 7:362-63; and Franklin, *Writings* (Sparks), 8:287.

Robert Morris to Jean Holker

Dear Sir¹

Philadelphia October 6th 1778.

I find by Mr. Rowes letters of the 24th Ultimo he was Supplying the Chevr. la Borda with money agreeable to your orders and had drawn upon me for 32,000 Dollars which Shall be duly honored, he adds that the entire Sum of 200,000 Dollars you had directed would be wanted, and he Should go on Supplying money as fast as he was able. The enclosed letter for Jno. Langdon Esqr.² directs that he Should pay to your order for my accot. £4,470.9.2½ Lawful which you will please to receive and I Shall charge your accot. for the Same. Capt Roche & Mr. Bromfield are here but nothing conclusive as yet determin'd on, they Expect if the Effects on hand are deliver'd up here their commissions as originally Stipulated Should be made good to them in France, there is both justice & reason in this Claim & yet if complied with in the Extent, it will involve Some hardships on the concern, but as it appears by Mr. Chaumont's letter to Capt Roche that he has made Insurance on the returns as well those that are, as those that are not gone, Mr. Deane & myself Seem to join Capt. Roche & Mr. Bromfield in opinion that it is best to prosecute the original design and Ship the tobacco to France. I believe this will be our conclusion especially as there is a Ship for Sale at Baltimore that will carry nearly the whole, and I have wrote for informa-

tion respecting her, on the receipt of an answer we Shall determine what is to be done and I will inform you of the result.

A few days Since, arrived here a little Brig called 'The Le Jeune Achilles de Bordeaux, Capt. Augt Picon from Bordeaux with 99 pipes of Salt Shipped by Messrs. Racule de Basmarin Raimbeaux & Compe. to your address, on accot & risque or by order of Mr. Chaumonts, as I have not any orders for selling this Salt it is my present design to Store it, altho' I think a good price might now be obtained. The quantity However is but small and if it should be wanted here for the purposes of Salting provisions you would not be well pleased to have to buy again, however I will enquire what can be got and consider what is best to be done and be assured that my determination will be intended for the best, let them turn out as they may. I will procure this little Vessell a freight of tobacco back and in all other of your affairs do what Shall appear right to be done during your absence. Mrs. Morris joins me in best compliments & wishes for your health & happiness and I remain, Dr Sir, your Sincere Friend & obedt hble Servt.

R.M.

Tr (DLC: Holker Papers).

¹ For Morris' relationship with Jean Holker, see Morris to Holker, September 29, 1778, note.

² Not found.

Roger Sherman to Jonathan Trumbull, Sr.

Sir,

Philadelphia, Octo 6th, 1778.

I have been absent about 6 weeks on the business of arranging the Army, which, so far as it is accomplished, has occasioned less dissatisfaction than I feared it would. Some good Officers are excluded for want of room, which are recommended to Congress for such notice and provision as shall be thought reasonable. Maj. Wells did not apply untill the arrangement of the Connecticut officers was made, so that he could not be admitted. It is customary in other States, not to fill the places of Officers in captivity, but to promote them according to their rank as if present. I shall take the first opportunity to transmit to Your Excellency a copy of the arrangement of the Connecticut Officers.

I returned here last Wednesday evening, and Maj. Adams being unwell—set out to go home last Saturday.

Col. Dyer and Mr Elsworth are not yet arrived; I hope they are on their way, for it is of importance to have a full representation.

Business goes on slow. The important matters of the currency,

cloathing department, and Treasury arrangement are not yet finished —though believe the last is compleated, except appointing the Officers. Cloathing the army will doubtless be referred to the particular States to Supply their own troops. The Continental cloathing on hand, and what may hereafter arrive will be distributed in some just proportion.¹

There is a report lately made on the subject of Finance not acted upon, which I think will not be an adequate remedy for the evils. I think a reasonable time ought to be fixed for sinking all the outstanding bills, and sufficient funds by annual taxes provided for bringing them in. That would fix their credit by letting the possessors know when and how they are to be redeemed, and would in some good measure do justice to the public as the bills would be collected in at about the same value they were issued out. The first part of the time the people would obtain them at a cheap rate to pay their taxes, and they would gradually appreciate till restored to their original value.

But some provision ought to be immediately made for doing justice to creditors in payment of old debts and salaries stated in lawful money. The law making the bills a tender when the same nominal sum was of equal value to lawful money was reasonable and necessary, but now is become the source of great injustice. I think Lawful money should be the standard, but an equivalent in bills should be accepted in payment. The Committee of Commerce do make a discount in payment of sterling debts. I hope public faith will be inviolably observed in the redemption of the bills, at their full value, at the period fixed for that purpose; but that will not prevent their depreciation in currency in the mean time while so great a quantity is in circulation. We received accounts yesterday that a number of the enemy's Ships were seen standing in toward Egg Harbour, supposed with intent to destroy the shipping and stores there. Some Continental troops, and New Jersey militia are sent to oppose them. What their intentions are concerning leaving this country we can't yet learn. Congress have thought it necessary to continue the Embargo on provisions to the last of Jan. next. Our friends at the eastward, especially at Rhode Island, think it hard that they are deprived of getting provisions from Connecticut by the land Embargo.

I am with great respect, &c.

Roger Sherman.

Tr (DLC: Force Collection).

¹ Sherman was a member of the clothing committee appointed on October 5 to which had been referred both a Board of War "return of the cloathing on hand" and an August 19 report prepared by a committee previously appointed to consider Washington's August 4 letter which charged that Clothier General James Mease

"is by no means fit for the business [*i.e., of his department*]." *JCC*, 11:531, 768, 812-13, 12:983, 995-97; and Washington, *Writings* (Fitzpatrick), 13:278-79. Sherman's committee prepared a report which contained some of the features suggested in this letter to Trumbull, but there is no evidence to indicate that it was acted upon by Congress, and it appears arbitrarily in the printed journal following the proceedings of October 9 when the committee was enlarged. The clothier's department was not finally reorganized until March 23, 1779, when Sherman was absent from Congress. See *JCC*, 13:348, 353-60.

For further information on these efforts to reorganize the clothier's department, see Erna Risch, *Supplying Washington's Army* (Washington: Government Printing Office, 1981), pp. 270-74.

Henry Laurens to Silas Deane

Sir Philadelphia, 7th October [1778]

I have had the honor this Morning of receiving and presenting to Congress your favor of the present date. The Order of the House was, "to lie on the table" until the Examination of Mr. Carmichael shall be finished.¹

I am with great Respect, Sir &c.

LB (DNA: PCC, item 13).

¹ *JCC*, 12:987. A transcript of Deane's October 7 letter to Congress, expressing "the greatest impatience for an opportunity of being heard before that honorable Body," is in PCC, item 103, fols. 116-17.

Henry Laurens to John Beatty

Sir 9th October [1778]

Congress having received further information respecting the number of survivors of the late Colonel Baylor's Party have judged it necessary to repeal their Act of the 6th Instant for an immediate exchange, and inclosed you will find an Act of Yesterday's date for that purpose to which I beg leave to refer you,¹ And remain with great Esteem and Regard, Sir &c.

LB (DNA: PCC, item 13). Addressed: "Colonel John Beatty, Commissary Genl. of Prisoners, Princeton, by Owens."

¹ See *JCC*, 12:987, 991. Although the journals are silent on the point, the "further information respecting the number of survivors of the late Colonel Baylor's Party" is apparently a reference to Washington's letter to Laurens of October 3, which was read in Congress on the seventh. *JCC*, 12:987. Washington's letter is in Washington, *Writings* (Fitzpatrick), 13:14-15, and PCC, item 152, 6:391-94. For Congress' initial response to news of the "massacre" of George Baylor's regiment, which was considerably exaggerated, see Laurens to William Livingston, October 6, 1778. The fact that Laurens' letterbook contains no letter to Beatty transmitting the original October 6 resolution is explained by the fact that he had been in Philadelphia at that time, and, indeed, had been the bearer of Laurens' October 6 letter to Livingston.

Henry Laurens to George Washington

Sir

9th Octr. [1778]

I had the honor of writing to Your Excellency the 2nd Instant by Ross, since which Your Excellency's several favors of the 29th Ultro. & 3d Inst. with the several Papers refer'd to have been duly presented to Congress—the former is committed to the Board of War.¹ I have communicated the Extract from Count d'Estaing's letter to Monsr. Girard.² Congress have no objection to granting leave of absence to the Marquis of Vienne.³ I have at present only to transmit an Act of Congress of the 2nd Instant for continuing the present Embargo for preventing engrossing provisions, and for other purposes therein mentioned, which Act will accompany this.

I have the honor to be &c.

LB (DNA: PCC, item 13).

¹ See JCC, 12:980, 987. Washington's letter of September 29 and two letters of October 3 are in Washington, *Writings* (Fitzpatrick), 12:514–16, 13:14–16. Only two of these are in PCC, item 152, 6:387–94. Washington's draft of the second October 3 letter, which was a private communication that Laurens acknowledged separately in his October 10 letter to the general, is in the Washington Papers, DLC.

² For this extract, pertaining to an "exchange of prisoners already planned by Mr. Gerard," see Washington, *Writings* (Fitzpatrick), 12:514. D'Estaing had asked Washington to "promote" this prisoner exchange, but because Washington was "an entire stranger to the plan," he needed further information about the matter in order to comply with d'Estaing's request.

³ Vienne's leave was granted on October 26. See JCC, 12:1066.

James Lovell to Francis Dana

Sir,

Octr 9th. 1778

Mr. Dodd arrived luckily last Evening with your verbal Orders respecting the Horse which Mr. Banister persuaded me to take Care of for you. It still continues in fine Order. Upon knowing your Mind as to the Beast's being ridden by any Person whatever, I determined that my Encouragement to Mr. Thaxter should not totally fail, wherefore I ordered my Horse to be prepared for him, but Congress has made other Provision. I hope the Beast will reach you in Flesh, as Mr. Banister's Heart was set on that Circumstance. I am sure of Mr. Dodd's Care if he conveys it to Boston. If he should not, I wish your Orders in Writing tho' you seem to have a sort of Antipathy to the Pen now, in Consequence of your long Drudgery in this Quarter. How, otherwise, is it that you do not deign to say by one Line that you have recd. any one of 8 Enclosures which are minuted in my Almanac prior to the 13th. of Sepr.¹ I should have been glad to know

whether Capt. Callahan had paid you 300 Dollars, as I have now a Warrant on the Treasury for that Sum in your Favor on Account of so much you advanced to two Expresses. You had best settle for the 2 pr. of Shoes, as it is not in the Power of the Auditors to do it here.

I do not find that this State will consent to the Exportation of any Flour on private Account. I mention this because I think I have asked you in a former Letter to befriend Mrs. L. if any of the Flour sent by the Commissy. should be spared to Individuals. I shall aim to send a few Barrels from Maryland where it is permitted to export to the Eastern States. Great Disgust was taken here at the Preference which Congress recommended to be given to such Vessels as had Certificates from the executive Powers of the eastern States. One of those Vessels was sold for a foreign Voyage at Baltimore tho' the Certificate seemed to imply an Obligation, on obtaining the necessary Permits, to return with Flour to the suffering eastern People: And such permits were granted *in Maryland*.

I hope your Family are in perfect Health. I think Boston can have no Fears of a Seige the coming Winter, tho we are not yet absolutely sure of the intended Movements of our Enemies.

I am Sir your humble servt.

James Lovell

RC (MHi: Norcross Papers).

¹ No Lovell to Dana letters written after Dana's August 11 departure from Congress have been found.

Josiah Bartlett to Mary Bartlett

My Dear

Philadelphia October 10th 1778

This will be Sent to you by Colo Folsom by whom I Recd yours of the 19th ulto. I wrote you the 5th Inst. by the post but it is likely you may receive this before that Comes to your hand for I find my letters to you by the post are near a month old when you Receive them for the most part. I Believe I Shall Set out for home the first Week in next month and hope to See you by the 20th. But if General Whipple Should come here alone I may be Detained here till the 15th or 20th of the month but I am Determined to Return home as soon as I Can with propriety after the month of November comes in.¹

The weather here is now uncommonly warm for the Season but it is not likely it will hold So long. I am in pretty good health. Charles Chace is well & is at work at his trade and talks he is willing to tarry here over the winter. I make no Doubt you will take Care to order some wood be procured for you by Carting before winter

Sets in, and if necessary hire David Sanborn to tarry with you till my Return in order to prepare for winter.

It is very probable I Shall not write to you more than twice more from this City.

I have no news to Send you. Remember me to all Enquiring friends & particularly to David Sanborn. Remember my Love to all the Children and accept for the Same your Self from yours,

Josiah Bartlett

[P.S.] I have sent a small pamphlet by Colo Folsom.

RC (NhHi: Watt Collection).

¹ William Whipple explained his plans for attending Congress in the following letter to Bartlett of October 13, 1778.

"In my last I told you I had some thoughts of taking a seat in Congress. I have since come to a determination to set out about the 20th inst and hope to be with you by the first of Nov. If anything shod happen to prevent my joining you so soon as I expect, I hope you will not leave Philadelphia as soon as you talk of. A week or two will make no great difference in the traveling. I do not understand that I am to have any company as those Gent who were chosen to go with me have all declined. The Genl. Court sets in about two weeks when I suppose some body will be chosen. I must intreat you not to leave Philadelphia till I arrive." C.C. Jones' Signers of the Declaration Collection, NNPM.

Josiah Bartlett to Meshech Weare

Sir

Philadelphia October 10th 1778

I have procured One Hundred and fifty Thousand Dollars in Bills, and an order on the Loan Officer in Newhampshire for fifty Thousand Dollars, and now Send them according to your orders by Colo Samuel Folsom who will Deliver you this, and wish them all Safe to hand.¹

I wrote you the 26th ulto informing what had been Done Relative to the Towns who Endeavored to go off to Vermont. And the 6th Inst. Requesting the State to authorise any one of their Delegates to represent the State in Congress till the Confederation is Ratified by all these States; those letters I Sent by the post & hope they will Come Safe & Seasonably to your hands.

I am with great Respect, Your most obedient Servant,

Josiah Bartlett

RC (MHi: Weare Papers).

¹ See Bartlett to Weare, October 6, 1778, note 3.

Henry Laurens to William Heath

Sir, Philadelphia 10th October 1778.

Since my last Letter under the 13th Ulto. I have had the honor of presenting in due course to Congress, your several favors of the 5th, 21st, & 30th of the past Month,¹ that of the 21st is committed to a special Committee, of the 30th to the Board of War & remain unreported.

Capt. Gilbert of Massachusets & Capt. Holmes of New Hamshire having informed me that during their late Captivity at New York several Officers of the Convention troops had come into that City upon parole, some on furloughs for no less than six Months, obtained by such Officers from the Commissary of Prisoners or from some other person pretending to have authority at Boston & that Gold had been paid in Boston for these illicit permits; Congress have directed me to give you this intimation, & to request you will immediately make a strict enquiry into the fact, that you will also make a return of all the Convention Troops under your charge, Officers & Men, & account for absentees.²

I have the honor to be, With great Esteem & Respect, Sir, Your most obedient, humble servant.

Henry Laurens.
President of Congress.

RC (MHi: Heath Papers).

¹ Laurens apparently had forgotten that he had written to Heath since September 13 and had acknowledged receipt of the first two of these letters in his October 2 letter to Heath. For Heath's September 30 letter to Congress, which is in PCC, item 157, fols. 260-8, see *JCC*, 12:992-93.

² For Congress' October 5 resolution ordering Laurens to inquire into the truth of these charges, see *JCC*, 12:984. See also Laurens to Horatio Gates, October 29, 1778.

Henry Laurens to George Washington

Dear sir, Philadelphia 10th October 1778.

An accident which has very seldom happened to me in the course of thirty Years business, has deprived me of the honor of making an earlier & puts it out of my power even now of making a more proper acknowledgement of three of Your Excellency's favors which I remember to have been indebted for antecedent to the receipt of this of the 3d Inst. which now lies before me.¹ Those, in removing my Desks & their Contents from one part of the House to a more convenient, I have mislaid among my private Papers, & after as much

search at different times & particularly this Morning as the fleeting & pressing moments which I dare to borrow from public attentions have permitted me to make, remain undiscovered, although I am sure they are safe in a wrong class.

I recollect however & shall never forget a new obligation which in one of them Your Excellency was pleased to lay on me by a very kind notice of my Sons behavior at Rhode Island & that you had returned the Gold which I sent to Head Quarters by Jones² & also the Letters of Governor Johnstone, Mr. Oswald & Mr Manning.³ In the present circumstances of Great Britain, rendered deplorable by the waste of another Campaign on this Continent, by the loss of Dominique in the West Indies & of a great Marine battle at her own door, it is exceedingly difficult to determine what will be her next step, although I do not think it is, to see the only measures remaining for her salvation. With respect to South Carolina, I cannot yet treat the Idea of an attack as altogether chimerical. I am well warranted to say the British Administration held that State & Georgia in reserve, for a stroke of necessity which might at any time be made with Success & they well know the immense value of those States & great things may be done by drawing their forces to one point—they may have indeed stayed a day too late. Be that as it will, I have fully advertised my Countrymen, & if the alarm shall prove to have been unnecessarily sounded, their intermediate exertions towards a defence will do them no real injury.

Congress have ordered the proceedings of the Court Martial on Major Genl. St. Clair to be printed,⁴ & have appointed Friday the 16th for considering & determining on those of the Court on Major Genl. Lee.

I have nothing further to offer at present Sir, but the repeated assurances of being with the highest sense of Respect & Obligation, Your Excellency's Most obedient & Most humble servant,

Henry Laurens.

RC (DLC: Washington Papers).

¹ See Laurens to Washington, October 9, 1778, note 1.

² See Laurens' second letter to Washington of August 28, 1778, note 2.

³ See Laurens' letters to Washington, June 18, and to George Johnstone, June 14, 1778, note 3.

⁴ JCC, 12:989-90.

Marine Committee to John Beatty

Sir

October 10th 1778

The Committee are informed that it has been the practice among your Deputys in the Eastern States to Exchange Prisoners made by the French Fleet without proper Authority.

It is the desire of the Committee that you will give strict Orders forbidding this practice on Any Account unless when Ordered by the Admiral or Minister of France.¹ I am sir, Your hble servant,

John Brown secy

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

¹ The Marine Committee also wrote this day to the Eastern Navy Board enclosing funds for the schooners *Loyalty* and *Swan*. See Paullin, *Marine Committee Letters*, 2:13.

Samuel Adams to James Warren

My dear Sir,

Philadelphia Octob 11. 1778

In the inclosed News paper you will see certain Queries, calculated to impress on the Minds of the People the Idea of Dr Lee's having held a criminal Correspondence with a Person known to be at the same Time in the Service and under the Direction of the British Ministry.¹ I hope it will not be in the Power of this Querist to do essential Injury to so eminent a Patriot; who took the earliest and most decisive Part in opposition to the Measures of the British Court, and whose invariable Attachment to the Liberties of our Country, never was, and I think cannot be justly suspected. Yet it may be necessary to guard against it; for I plainly tho silently saw when I was last in Boston a malevolent Disposition towards Dr Lee, in a certain Gentleman, who, till he is better known, will have a great Influence in the Massachusetts State. The Instance you may recollect, as you were knowing to it in the Time of it. I then supposed it to proceed from his having strongly attachd himself, and for a Length of Time to a Circle of Men; and imbibd their Prejudices, who are far remote from the political Connections of Dr Lee, and who differ widely from them in the Adoption of publick Measures regarding either Politicks or Morals. You may remember that some time ago in a letter I informed you, I should have much to say to you about Mr D,² of whom I had long formed my opinion, and had not seen Reason to alter it. I have hitherto said Nothing to you about him; because I knew it would lead me to Subjects of great Delicacy, which by being exposd to the Enemy as they would if my Letters should fall into their hands, might disgrace or otherwise be prejudicial to our publick Affairs. This Caution prevents my communicating to you many things on which I wish to unburthen my Mind. Mr D was originally taken up by a secret Committee of Congress appointed to procure from France the necessary Supplys for carrying on the war: By them he was sent to that Country in the Character of a mere Merchant. About that Time another Committee was appointed

whose Business was to form a Correspondence abroad, and particularly to feel the political Pulse of France, in hopes of forming a Connection with that powerful Nation! This Committee also took up Mr D; and he carried Letters from Dr F to some Men of Eminence, which might enable him in some Measure to penetrate into the Disposition of the Court of France towards America. With these Views Mr D was sent to France; He was to be an Agent to the secret Committee of Commerce. To the secret Committee of Correspondence he was to be the Inquisitive Man or Intelligencer. He had no political Powers, whatever; and yet he sent us over Majors, Colonels, Brigadiers & Majors General in Abundance & more than we knew to do with, of his own creating, till at length Mr Du Coudray arrivd with the Commission (or an Agreement signed by Mr D in Behalf of the United States that he should have one) of a Major General & the Command of our Artillery; together with his Suite of about seventy Gentlemen of different Ranks. All this was done as I said before, without any Authority. Congress was exceedingly embarrassd, being loth to discredit their Commissioner (for before the Arrival of M DuCoudray he was commissioned joyntly with Messrs Franklin & Lee) I say, being loth to discredit him by disannulling the Convention, and at the same time judging it dishonorable as well as unsafe for America to ratify it. This however was agreed to in a Committee of the whole House. Not having the Records before me, I do not recollect whether it was confirmed in the House; but DuCoudray soon after died, his Suite or most of them returned with gratifications, and Mr D was recalled.³ After which he was directed to return speedily and give an Account of the State of our Affairs in Europe. This has given an Occasion to his Friends to hide the real Reasons for his being recalled, and to hold up in the publick News Papers an ostensible one, supposing it to be more for his Reputation.

Our Affairs even in France wore a gloomy Aspect during the last year, until they receivd the News of our Army at the Northward being completely victorious. This was the decisive Language which commanded our Success in the Cabinet of France. To this we are indebted for the Acknowledgment of our Independence, the Treaty and the French Fleet. Mr D is complimented with having procurd this Fleet, and his "spirited Exertions" like those of other *great* Men, have been passd off in the News Papers. Unthinking Men may be amusd with a Golden Snuff Box &c &c; after all they are mere Things of Course, especially in the Honey Moon of National Matrimony.

Since Mr D's return, as well as before, there have been suggestions of his Misconduct in France, and among other Things of his misapplication of publick Moneys. I cannot say whether these Sugges-

tions are well grounded or not. Congress is devoting every Hour to an Enquiry into the grounds of them which can be spared from an Attention to other great Affairs, particularly the Finances. The Conduct of an honest Man well bears the strictest Scrutiny. If the Friends of Mr D have any Suspicions of his being tardy, I am inclined to think they will be more apprehensive of a Detection from the Vigilance & Integrity of Dr Lee than any thing else. On such Occasions it is not unusual for the most unblemished Characters, and sometimes even the Lives of the best of Men have been sacrificed, in order to prevent "Transactions dark & mysterious" from being brought into open Light.

I have written this Letter in Confidence and shall continue the Subject when I can find Leisure.

Your last was dated the 3d of Septr. Adieu.

RC (MHi: Warren-Adams Papers). In Adams' hand, though not signed.

¹ This article, signed "Querist," which appeared in the October 10 issue of John Dunlap's *Pennsylvania Packet*, consisted of six questions attempting to link Arthur Lee with the alleged British agent Dr. John Berkenhout. Silas Deane, who stood accused of corruption by Lee, later acknowledged that he was the "Querist." See Adams to Warren, December 9, 1778.

By associating Lee with Berkenhout, who had been arrested in Philadelphia as a spy and was later sent back to the British lines, Deane aimed to discredit Lee, with whom Berkenhout had claimed a previous friendship in Britain, undoubtedly hoping that by raising questions about Lee's loyalty he could deflect attention from the congressional investigation into his own use of public funds. For information on Berkenhout's mission in America, see Richard Henry Lee to William Maxwell, August 29; Adams to Warren, September 3; and Henry Laurens to Maxwell, September 5, 1778.

For an almost immediate attack on "Querist," which was based on "very certain information . . . [from] a gentleman of Congress," see the reply signed "A Whig in the worst of Times" in the October 13 issue of the *Pennsylvania Packet*.

² That is, Silas Deane. See Adams to Warren, July 20, 1778.

³ For discussion of some of the consequences of Deane's contract with Philippe Du Coudray, see these *Letters*, 7:305-7, 8:353-55.

Committee for Foreign Affairs to the Commissioners at Paris

Gentlemen

Philada. Octr. 12th. 1778

Congress having foreign Affairs now under Consideration, I shall not write to you on that Subject, more especially as it is quite uncertain how the present Papers will be conveycd to you. Nor shall I pretend to unravel to you the Designs of the Enemy. They are very inscrutable: The Printers know as much as I do about them, therefore I send a few of the last Prints of Dunlap, which with the Boston

Papers must decide you in Opinion. Your affectionate Friend, and
very humb. Servt. James Lovell

RC (PPAmP: Franklin Papers). Written and signed by James Lovell. Addressed: "Honorable Benjamin Franklin Esqr., Arthur Lee Esqr., John Adams Esqr., Paris."

Samuel Holten's Diary

[October 12, 1778]

12. Monday. A very cool day. I met the medical Committee.¹ Eastern post not come in.

MS (MDaAr).

¹ Holten had been added to the Medical Committee on September 23. *JCC*, 12:946.

Henry Laurens to Peter Colt

Sir

12th October [1778]

I duly receiv'd and presented to Congress your letter of the 25th Ultio. It was immediately committed to a select Committee and I am sorry to say it remains unreported—the several subjects contained in it are important, and, as far as I can judge the House is perfectly satisfied with your conduct. You will attribute the present delay to an unavoidable necessity arising from a multiplicity of business and be assur'd Sir, you shall hear from me immediately upon my receiving directions from Congress.¹

I Am with great Respect & Regard &c.²

LB (DNA: PCC, item 13).

¹ Deputy commissary Colt's September 25 letter to Laurens is in PCC, item 78, 5:225–28. For Congress' response to Colt's appeal for funds to pay obligations he had incurred under former commissary William Buchanan, whose accounts remained unsettled, see Laurens to Colt, October 23, 1778.

² This day Laurens also wrote a brief letter to Jonathan Trumbull, Jr., acknowledging receipt of a letter of September 18. PCC, item 13, 2:105. Having recently brought his accounts as paymaster general of the northern department "to a final settlement" with the auditor's office in Albany, Trumbull had enclosed "a particular Abstract of Payments" for the board of treasury. See *JCC*, 12:980; and PCC, item 78, 22:587–88, 595–96.

Henry Laurens to Baron von Steuben

Dear sir, Philadelphia, 12 October 1778.

I thank you for your very obliging Letter of the 31st Ultó. which reached me no sooner than five days ago.¹

I am in great hopes your arrangement for the Inspection will be a subject for the consideration of Congress this very Morning; it is so intended, but if it shall happen otherwise, ascribe the delay to unavoidable necessity for attending to some other business, or to any cause in preference to a disregard for you in Congress, where I perceive with great pleasure you are held in the highest Esteem.²

A look into the remaining parts of your Letter, would shock a feeble mind, yours & mine will from the melancholy description of our Military affairs receive no more than a proper degree of alarm, but alas, what can you & I do? What we alone cannot do, we must hope will be soon supplied by those whose duty & Interests it is to receive proper impressions from the warning which I shall under your sanction again & again repeat in their Ears.

I have desired Colo. John Laurens to consult you Sir, on some points respecting the late Massacre of Colo. Baylor's party. I am afraid indeed that unfortunate Gentleman was off his guard, but does his error warrant the Butchery which we are told the Cruel English exercised upon himself & his party? If this shall be proved ought we to suffer their guilt to pass with impunity? When & in what manner should retaliation be made? The Watch points to 9 oClock. I must fly to my post. Adieu Dear Baron. Be assured I continue in the most respectful & sincere attachment, Sir, Your obedient & most humble servant,

Henry Laurens.

RC (PHi: Gratz Collection).

¹ Steuben's September 31 letter to Laurens, which was written from "Fredericksburgh," is in the William Gilmore Simms Collection deposit, MHi.

² Congress continued to postpone action on this issue for months and did not finally adopt a new plan for reorganizing the inspector general's department until February 18, 1779. See Laurens' second letter to Washington of August 20, 1778, note 2.

Marine Committee to the Pennsylvania Council

Sir, Philadelphia October 12th 1778.

The Minister of France having applied to the Marine Committee for a Pilot to bring the frigate Chimere above the Chiveaux de Frize, for the double purpose of rendering the Ship safe from the enterprises of the enemy, and that she may be so situated as to cover

the passage of the Frize and assist in the defence of the river. The Committee having given directions for this purpose, find upon enquiry, that a Capt. Wade, of the sloop *Speedwell*, in the service of this state, is better acquainted with the present state of the *Cheveaux de Frize* than any person we can get. I am therefore Sir, in the name of the Marine Committee to request that you and your honorable Board will be pleased to give directions that Capt. Wade may proceed without delay to the execution of this business.

I have the honor to be Sir, your most obedient and very humble servant,
Richard Henry Lee, Chairman M. Committee

RC (PHi: Gratz Collection). Written and signed by Richard Henry Lee. Addressed: "His Excellency the Vice President of the Supreme Executive Council of Pennsylvania."

Joseph Reed's Motion on the Dismissal of Officers

[October 12? 1778]¹

Resolved—That Congress have, & of Right ought to have a Power to dismiss any Officer from their Service whenever they shall deem his Continuance therein incompatible with the publick Interests & that this Right being expressed on the Face of the Commission which is granted during the Pleasure of Congress excludes any reasonable Complaint of Injustice & Hardship whenever this Right is exercised.

MS (ScHi: Laurens Papers, no. 20). In the hand of Joseph Reed, and endorsed by Charles Thomson: "Mr. Reed's Motion on the right of Congress to dismiss their officers at pleasure." It is not known why the MS was retained by President Laurens rather than Secretary Thomson.

¹ Although the date of this document can only be conjectured, it seems likely that it was elicited by the reaction of Continental officers to the work of the Committee of Arrangement, of which Reed was a member and which on October 9 submitted a report that Congress began to debate on October 12. Furthermore, this may have been the last day Reed attended Congress, for he submitted a letter of resignation to the Pennsylvania Council this day, and he does not appear among the delegates listed on the next congressional roll call vote recorded on October 16. Although Burnett suggested that "it may possibly have been offered at the time of the presentation of the memorial of the officers" that was read in Congress on October 20, it seems unlikely that Reed was still attending at that date. The substance of that memorial had been known in Philadelphia for some time and Reed was certainly aware of the criticism that had been directed against the committee's recommendations long before Congress began formal consideration of its October 9 report. See *JCC*, 12:995, 1003–4, 1154–60; and Burnett, *Letters*, 3:448n.2. For the officers' memorial that was read in Congress on the 20th, see Gouverneur Morris to Washington, October 26, 1778, note 2.

Joseph Reed to George Bryan

Sir

Walnut Street, Oct 12. 1778

The Sollicitations of a great Number of my worthy, tho partial Countrymen have procured my Consent to serve them in the Council, or Assembly as they may chuse. But as this Choice cannot properly be made, while I remain a Delegate in Congress, I now beg Leave to resign that Seat, leaving it to the Judgment of the honourable Board to take such Notice thereof as they may think proper. And I also beg Leave to add that upon this Occasion, I have no other View but to put myself into such a Situation, as to be employed by my Country in that Line where it shall deem me most useful.¹ With great Respect I remain, Sir, Your Most Obed & very Hbble Serv.

Jos. Reed

RC (NHi: Reed Papers).

¹ For Reed's resignation of his seat in Congress and subsequent election to the assembly and to the council of Pennsylvania, see John F. Roche, *Joseph Reed, a Moderate in the American Revolution* (New York: Columbia University Press, 1957), p. 147.

Henry Laurens to William Heath

Sir

Philadelphia 13th October 1778

I had the honor of addressing you the 10th Instant by Dodd since which I have received and presented to Congress Your favor of the 30th Ultimo which was committed to the Board of War.¹

I now transmit within the present Inclosure an Act of Congress of Yesterdays date strictly enjoining all Officers in the Army to see that the good and wholesome Rules for the Preservation of Morals among the Soldiers be duly and punctually observed.²

I have the honor to be, With great Esteem & Respect, Sir, Your most obedient & most humble servt,

Henry Laurens, President of Congress.

RC (MHi: Heath Papers). In the hand of Moses Young, with closing and signature by Laurens.

¹ According to the journals, Laurens actually presented Heath's September 30 letter to Congress on October 9; i.e., before and not "since" he wrote to Heath on the 10th. See *JCC*, 12:992; and *PCC*, item 157, fols. 206-8.

² *JCC*, 12:1001-2.

Henry Laurens to the States

Sir ¹

Philadelphia 13th October 1778

I had the honor of writing to you on the 7th Inst.² which will accompany this, my Letter having been left behind by Messenger Dodd.

Within the present Cover will be found an Act of Congress of Yesterdays date recommending the encouragement of true Religion and good Morals and the suppression of Theatrical Entertainments, Horse racing, Gaming, and such other diversions as are productive of Idleness, dissipation and a general depravity of Principles and Manners.³

I have the honor to be, With the highest respect & Esteem, Sir,
Your most obedient, humble servant,

Henry Laurens. President of Congress ⁴

RC (NhD: Miscellaneous American MS).

¹ The text printed here is that of the circular letter sent to Massachusetts, which was addressed to council president Jeremiah Powell. The letters prepared for the southern states enclosing the October 12 congressional resolve that went with this letter were not dispatched immediately. Laurens actually sent them with his next circular letter to the states, one enclosing Congress' October 16 resolution on preventing the distribution of "seditious papers" from the British peace commissioners. See PCC, item 13, 2:105-11; and Laurens to Jonathan Trumbull, Sr., October 16, 1778, note 3.

² See Laurens to Rawlins Lowndes, October 5, 1778, note 2.

³ The effort to suppress "diversions as are productive of Idleness, dissipation and a general depravity of Principles and Manners" met more opposition than may appear from a casual reading of the journals. A majority of the delegates were opposed to this resolution, which failed of adoption on the first vote, but when "the yeas and nays" were called for on the question, several members reversed themselves to avoid going on record against "true religion and good morals." The campaign for adoption of this and a companion resolution on October 12, as well as a follow-up resolution on October 16 calling for the dismissal of Continental officers who flouted its intent, was marked by an uncommon degree of parliamentary maneuvering, which the paucity of comment on the subject in the delegates' surviving correspondence belies. See JCC, 12:1001-3, 1018-20. See also Samuel Adams to Samuel P. Savage, October 17, 1778.

⁴ To the copy of this letter that he sent to New Jersey governor William Livingston, Laurens added a paragraph acknowledging receipt of an October 2 letter from the governor which was read in Congress this day and referred to the Board of War. Livingston's letter has not been found, but its content can be deduced from Laurens' explanation of Congress' response to the intelligence contained in it. "I am directed to transmit," Laurens reported, "the paragraph respecting illicit Commerce with the Enemy to General Washington; and to desire His Excellency will take proper Measures for crushing the Evil." PCC, item 13, 2:107-8. For Livingston's letter and the use made of it by Washington, see JCC, 12:1005; and Washington, *Writings* (Fitzpatrick), 13:120, 131.

Henry Laurens to George Washington

Sir

13th October [1778]

My last trouble to Your Excellency was dated the 9th¹ by Messenger Dodd who was detained by bad weather and a little management of his own until Yesterday.

Within the present inclosure Your Excellency will receive the undermentioned Papers.

1. An Act of Congress of the 12th Inst. strictly enjoining all Officers in the Army of the United States to see that the good and wholesome Laws provided for the preservation of Morals among the Soldiers be duly observed.

2. Extract of a Letter from Governor Livingston dated the 2nd Instant, received this day.²

Congress have directed me to request Your Excellency to give proper Orders for suppressing the evil complained of by the Governor.

3. Copy of a Letter from Colo. Hartley dated Sunbury 8th October 1778.

4. An Act of Congress of this date founded on Colonel Hartley's Letter for preventing the Enemy from occupying a Post at Chemung &c.³

LB (DNA: PCC, item 13).

¹ Laurens had written a "private" letter to Washington on the 10th.

² See Laurens to the States, this date, note 4.

³ JCC, 12:1005-6. Col. Thomas Hartley's letter, describing a retaliatory expedition he had led against the Indians who had recently attacked the Wyoming settlements, is in PCC, item 78, 11:341-52. Describing Chemung as "the recepticle of all Villanous Indians & Tories from the different Tribes and States," Hartley estimated the force that would be required to destroy the post and appealed for a regiment of Connecticut troops to reinforce the Wyoming Valley. His letter was published in in the October 17 issue of John Dunlap's *Pennsylvania Packet* and is in *Pa. Archives*, 1st ser. 7:5-9.

Thomas McKean to Caesar Rodney

Dear Sir,

Philadelphia, October 13th, 1778.

I have only time to recommend Jacob Rush Esquire Attorney at Law as Attorney General of the Delaware State. Being informed, that no Gentleman of the Law in our State would accept of this Office, I made application to Mr. Rush, who has agreed to attend faithfully to the duties of this station, provided he is honored with your Commission. The character and abilities of Mr. Rush are so well known to you, that I need say nothing respecting them.¹ I shall

write to you again in a few days, and shall be glad to hear from you abt. Mr. Rush as soon as you have determined, for if he is appointed he must set out for Sussex the latter end of this month. It gives me real concern that I cannot attend the present sitting of the Assembly, but I hope to be able to be with them at their adjournment, provided it will be in January, February or March.

I am, dear Sir, Your most obedient servant, Tho M:Kean

RC (PHi: Dreer Collection).

¹ Jacob Rush was formerly private secretary to President John Hancock and deputy secretary of Congress. See these *Letters*, 3:350, 9:90.

Samuel Adams to James Warren

My dear Sir.

Philada. Oct. 14, 1778.

In my last ¹ I inclosed a News Paper containing certain Queries calculated, as I conceive, to blast the Reputation of a truly virtuous Man. Dr. Lee and Dr. Berkenhout mentioned by the Querist, were formerly fellow Students at Edinburg; and as both were esteemed learned in their Profession, it is not improbable that on that Account they kept up their Acquaintance while both continued in Great Britain. Dr. Lee, you know was requested by Congress to go over to France, where he was made a joynt Commissioner with Messrs. Franklin & Dean. It is possible that a Correspondence afterwards have been carried on between them; but from the Knowledge I have of Dr. Lee, I will venture to pledge my self it was not a *criminal* one as the Querist would seem to insinuate, and if Dr. Berkenhout was in the Service & under the Direction of the British Ministry, which by the Way is but bare Suspicion here, it must have been utterly unknown to Dr. Lee: I am rather inclind to think it is a Creature of the Querists own Fancy, or an artful Suggestion thrown out to the Publick, to serve the Cause of our Enemies. America should beware how she suffers the Character of one of the most able & vigilant Supporters of her Rights to be injured by Questions designd to impute Slander without any Reasons offerd why such Questions should be made. It is the old Game of mischievous Men to strike at the Characters of the Good and the Great, in order to lessen the Weight of their Example and Influence. Such Patriots as Lord Russel & Algernon Sydney of the last Age, have been of late falsely and audaciously charged, by a Scotch Tool of the most nefarious Court in Europe, as having receivd Bribes from the Ministers of France;² and it is not strange that a Gentleman whom the leading American Whigs have placed high in their List of Patriots, who has renderd the most laborious & important Services to our Country in England,

France & other Parts of Europe, who has so often & so seasonably developd the secret Intrigues & Practices of wicked Men, and who at this Time stands high in the Esteem & Confidence of the Congress, & when it is considered in Addition to this, that there are too many disaffected & insidious Men still lurking among us, it is by no Means a strange thing to hear it insinuated by an anonymous Writer, that Dr. Lee also is chargeable with a criminal Correspondence with the Enemy, without even the Shaddow of Reason.

You may publish this if you think proper. I receivd your favor of Sept. 30th.³ It contains very interesting Matter which shall have my Attention at a more leisure Hour than the present. In the mean time Adieu my Fd.

S. A.

RC (MHi: Warren-Adams Papers).

¹ See Adams to Warren, October 11, 1778.

² Adams may have been referring to John Dalrymple's *Memoirs of Great Britain and Ireland*, 3 vols. (Edinburgh: W. Strahan and T. Cadell, 1771-78), particularly the French documents relating to the overthrow of James II in volume two.

³ Warren's September 30 letter to Adams is in *Warren-Adams Letters*, 2:47-51.

Marine Committee to John Beatty

Sir

October 14th. 1778

The Minister Plenipotentiary of France having informed Congress that a Negotiation for the Exchange of the respective Prisoners of his most Christian Majesty and the King of Great Britain being begun and near the term of its conclusion it becomes important to accelerate this settlement that the King of France's Prisoners be immediately removed to the places where the Exchanges are actually to be made. Therefore we now direct that without delay you will take effectual measures for collecting all Prisoners to the King of France that may be on this side of Hudsons River, at, or as near to Elizabeth town in the State of New Jersey as may be proper for their Safety; and also those Prisoners that are on the other side of said River, at New London in the state of Connecticut, at both which places they are to be safely kept until orders for their disposal are given by the Minister of France or the Count D'Estaing.¹ It is our desire that you produce the same number of Prisoners to the King of France that has been delivered to you or your deputys replacing those by an equal number of Prisoners of the same Class belonging to the United States, those only excepted of his most Christian Majestys Prisoners which his Excellency the vice Admiral commanding his Squadron, or the Minister of France should have formally and graciously released. You must keep perfect and distinct

Accounts of all expences attending the Prisoners of his most Christian Majesty which accounts you are to have ready to be delivered when called for by the minister of France or his excellency the Count D'Estaing.²

We doubt not all due attention will be given to these our orders and are sir, Your very Hble Servants.

P.S. You will please to observe that Mr. William [Shaker?] and his two slaves are not to be removed from this City until particular Orders are given for that purpose by the Minister.

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

¹ This directive was issued by order of Congress in response to "Sundry memorials from the hon. the Sieur Gerard" read in Congress this day. *JCC*, 12:1010.

² Prisoners captured by the French were also the subject of the following brief letter written on October 20 by Marine Committee chairman Richard Henry Lee to Gen. William Heath, the Continental commander at Boston.

"We have been informed that it has been the practice to the eastward to exchange the Prisoners taken by the French Fleet without the consent of the Admiral or Minister of France.

"We request that you will give strict orders forbidding this practice unless when done by Order of the Admiral or Minister aforesaid." Heath Papers, MHi.

Connecticut Delegates to Jonathan Trumbull, Sr.

Sir

Philadelphia Octr. 15. 1778.

We were honored with your Excellency's Letter of the 5th Inst.¹ Your Letter to Congress, and the memorial accompanying it are referred to Messrs. R. H. Lee, Samuel Adams, Josiah Bartlet and Oliver Elsworth who have not yet made report.² Hope Such determination will be made thereon as will be reasonable & Satisfactory—of which we will give Your Excellency the earliest Notice by the Post. The affair of Finance is yet unfinished, The arrangement of a Board of Treasury is determined on but the officers are Not Yet appointed. Tomorrow is assigned for their Nomination.³ The members of Congress are United in the great Object of Securing the Liberties and Independence of the States, but are Sometimes divided in opinion about particular measures. The Assembly of New Jersey in their late session did not Ratify the Confederation, nor has it been done by Maryland & Delaware States. These and some other of the States are dissatisfied, that the Western ungranted Lands Should be claimed by particular States, which they think ought to be the common Interest of the United States, they being defended at the common expence. They further Say, that if Some provision is not now made for Securing Lands for the Troops who Serve during the war, they

Shall have to pay large Sums to the States who claim the vacant Lands to Supply their Quotas of the Troops. Perhaps if the Assembly of Connecticut Should Resolve to make grants to their own Troops, and those raised by the States of Rhode Island, New Jersey, Delaware and Maryland in the Lands South of Lake Erie and west of the Lands in Controversy with Pennsylvania, Free of any purchase money or Quit rents to the Government of Connecticut, it might be Satisfactory to those States, and be no damage to the State of Connecticut. A Tract of Thirty Miles East and West across the State would be Sufficient for the purpose, and that being Settled under good regulations would enhance the value of the rest; These could not be claimed as Crown Lands, both the Fee and Jurisdiction having been Granted to the Governor & Company of Connecticut.⁴

We are Sir with great respect, Your Excellency's most obedt & most hble Servts.

Roger Sherman

Oliver Ellsworth

FC (CtY: Sherman Papers). In the hand of Roger Sherman. Tr (DLC: Force Collection).

¹ Trumbull's letter is in *Trumbull Papers* (MHS Colls.), 2:274-76.

² See Henry Laurens to Trumbull, October 16, 1778, note 2.

³ Nominations for the major treasury posts were not actually made until October 31, when Trumbull's son, Jonathan, was nominated for comptroller. Three days later he was elected to that position. *JCC*, 1085-86, 1096.

⁴ Remainder of letter taken from the Tr.

Samuel Holten's Diary

[October 15, 1778]

15. Thursday. A Manifesto or Proclamation from the Comrs. of the British King appeared in the paper of this day offering a Genl. Pardon, but I believe there is but few people here want their pardon.¹

MS (MDaAr).

¹ For further information on the October 3 "Manifesto" of the Carlisle Commissioners that was printed in the October 15 issue of John Dunlap's *Pennsylvania Packet*, see Samuel Adams to Timothy Matlack, October 16, 1778.

James Lovell to Jonathan Trumbull, Sr.

Hond & Dear Sir,

Octo. 15th. 1778.

Your favor to me of the 5th¹ by Brown found me in bed, under most severe symptoms of a nervous fever. I had enjoined it upon myself not to visit my family, till the Accounts of my dear, injured,

deceased friend shall be put in proper train. I continue in that mind, and am this day greatly encouraged to think all my medicines have critically served their intended purpose, so as that I may be abroad speedily. The flattering confidence which you are pleased to repose in me is a great Reward for me in advance, upon the Resolutions I had formed to aim to do justice to my friend—your now happy son.

I am told the Papers are committed. Mr. S. Adams promises that my sickness shall double his diligence on the point.

I am, with the most sincere respect, Your friend & obedt. humble
Servant,

James Lovell.

Tr (DLC: Force Collection).

¹ Trumbull's October 5 letter to Lovell, in which he had solicited aid for settling the accounts of his deceased son, Joseph, former commissary general of the Continental Army, is in *Trumbull Papers* (MHS Colls.), 2:277-78. For Congress' response to Trumbull's appeal, see Henry Laurens to Trumbull, October 16, 1778, note 2.

Samuel Adams to Timothy Matlack

Sir,

Philada, Octobr 16, 1778.

I am informd that General Clinton designs to send to the Governor or Assembly of each of the United States, Copies of an insulting Paper, called a Manifesto or Proclamation, calculated to promote a Rebellion, and that the one intended for this State is to be sent by Water up the Delaware. And as it appears to be the Design of the Enemy, as far as it may be in their power, further to pursue their barbarous practice of laying waste our Sea Ports, and that they would be particularly gratified by an opportunity of destroying this City; would it not be proper that one or two of your Gallies should be ordered to watch for them in the River, that they may seize their Vessel & bring the Men up, blindfold, to be confined & dealt with according to the Laws of Nature and Nations.¹ You will excuse this Hint, and be assured that I am, Your very humble Servt,

S. Adams.

MS not found; reprinted from *Pa. Archives*, 1st ser. 7:14.

¹ Learning that copies of the Carlisle Commissioners' October 3 "Manifesto and Proclamation" were about to be distributed throughout America under flags of truce, Congress declared that persons captured in the act of distributing them were "not entitled to protection from a flag" and would be taken into custody because the manifestos were "seditious papers" designed to "stir up dissensions, animosities and rebellion." Accordingly Congress proceeded to ask the states "to take up and secure" all persons discovered "engaged in the prosecution of such nefarious purposes" and recommended that the document be printed in the newspapers, "more fully to convince the good people of these states of the insidious designs of the said commissioners," a measure already taken in Philadelphia where the manifesto was



MANIFESTO AND DECLARATION

TO the Member of the Congress, the Members of the General Assembly & Conventions of the several Colonies, Plantations and Provinces of New-Hampshire, Massachusetts-Bay, Rhode-Island, Connecticut, New-York, New-Jersey, Pennsylvania, The Mayors, Justices Common in Delaware, Maryland, Virginia, New-England, South-Carolina, Georgia, and all others, free Abolitionists of the said Colonies, of every Branch and Distribution.

HAVING amply and repeatedly made known to the Congress, and having also proclaimed to the tabernacles of North-America in general, the several evils which have been the cause of our present situation with her colonies, we do not think it consistent either with the duty we owe to our country, or with a just regard to the characters we wish to prefer in holding out offers which as our situation required only to be known to be granted gratefully.

It is therefore our desire that the Commander in Chief, who will be detained by military duties, referred to return to England, a few weeks after the date of this *Manifesto* and Proclamation.

Previous to his departure, we desire that he will be made acquainted with the objects of our Mission to enlarge on some points which may not have been sufficiently understood, to recapitulate to our fellow subjects the blessings which they are empowered to receive from the British Government, and to inform them that they are to persevere steadily and obediently expiating themselves.

To the members of the Congress then, we again declare that we are ready to concert all our efforts for the arrangement of our future relations with them and their respective countries, to the establishment of peace, and to the maintenance of the rights of the colonies by the Parliament of Great Britain, and the irrevocable enjoyment of every privilege consistent with that union of interests and force on which our mutual prosperity and the safety of our common religion and liberties depend. We again affirm that the rights of the colonies are not to be separated from the rights of the mother country, and we offer without the previous consideration and consent of the several Assemblies and Conventions their constituents, or to refer us to pretended foreign treaties which they know were deliberately framed in the first instance, and which have more yet been ratified by the people of this country. We therefore more earnestly than members of the Congress are entitled to be sensible to the country and to the rights of the colonies, the continuance of this war, and for all the sufferers with which it would be attended.

[illegible][illegible]

to them in the past persons who, aware of military preparations, and unimpressed by the efforts of the British Government, had been driven to the aid of the French by Great-Britain, and that he feared they will find a confirmation more real, than that which they have already received, in the fact that the British Government will not do which we are empowered and disposed to demand and impose; with such pretext will not dispute a position, which forms to be infinitely contradicted by the experience of the past, and which is in itself so manifestly false, that it is not worth the trouble of maintaining of less a poison must make in the whole nature and future conduct of the British Government, than it is to be the benevolence of Great-Britain have thus far been the cause of miseries, which they impudently intend to drag a people full confirmed to slavery, and to the degradation of their country, into a more complete and more cruel desolation: But when that country produces the unwarred desire not only of refraining from the use of force, but of being able to defend itself against the use of force, and that it changed; and the question is, How far Great-Britain may by every means in its power be able to assist in the attainment of this desire, and in the maintenance of the Government of France. Under such circumstances the Laws of self-protection forbid the conduct of Great Britain; and if the British Colonies are to become an independent people, will direct her to render that sacrifice of a single vessel to public utility, as necessary.

thim we answer without reserve that we neither possess nor expect powers for that purpose; and that if Great-Britain could ever have sunk so low as to adopt such a measure, we should now have thought ourselves compellable to be the instruments in making a concession which would in our opinion be calamitous to the colonies for whom it is so manifestly disgraceful; as well as ruinous to the country from which it is required. And we think proper to declare that in this spirit and sentiment we have regularly written from this Continent to Great-Britain.

It will soon become the colonies, in answer to off, to read their own *Salomon* and

to Heaven in the granting of this concession, that they took away only for the redress of grievances, and that it would be their wish as well as their interest to return for ever connected with Great-Britain. We again ask them whether all their grievances, real or supposed, have not been amply and fully redressed; and we insist that the offers we have made leave nothing to be wished in point either of immediate liberty or permanent security: if those offers are now rejected, we withdraw from the exercise of a Commission with which we have in vain been honoured; the future liberality will no longer be due from Great-Britain, you can it either to justice or policy

[illegible][illegible]

And we think proper farther to declare, that nothing herein contained is meant, or shall be construed to let at liberty any person or persons, now being a prisoner or prisoners, or who during the continuance of this rebellion shall become a prisoner or prisoners. And we do to the colonies at large, or separately, a general or separate peace, with the several of their ancient governments freed against any future infringement, and trusted for ever from taxation by Great-Britain. And with respect to such farther regulations, whether civil, military, or commercial, as they may wish to be framed and established, we provide all the concurrence and assistance that His Majesty's commission

And we declare that this Manifesto and Proclamation shall continue, and be in force forty Days from the date thereof, that is to say from the third day of October, to the eleventh day of November, both inclusive.

[illegible]

GIVEN at New-York, the Third Day of OCTOBER, 1778.

By their Excellencies Command,
ALAN FERGUSON, Secretary

CARLISLE (L.S) H. CLINTON (L.S) Wm. EDEN (L.S)

Carlisle Commissioners' "Manifesto and Proclamation,"
October 3, 1778

October 3, 1778

printed in the October 15 issue of the *Pennsylvania Packet*. JCC, 12:1013, 1015-16.

For the fate of the crew of the British vessel captured when it ran aground while attempting to carry copies of the manifesto up the Delaware, see John Henry to Thomas Johnson, October 20; Henry Laurens to Caesar Rodney, November 1; and Laurens to John Beatty, November 7, 1778, note 1.

Adams apparently wrote this letter in his capacity as a member of the Marine Committee.

Samuel Adams to Jonathan Trumbull, Sr.

Sir

Philad Oct 16 -78

I had the Honor of receiving your Excy's Letter of the 5th Instant,¹ and sincerely condole with you on the heavy Loss your Family and the publick sustain by the Death of your eldest Son. His Services in my opinion merited great Consideration, and it now behoves the Publick to render the Settlement of his Affairs as easy to his surviving Friends as possible. I have communicated the Contents of your Letter to my Colleagues & other Members of Congress, & you may be assured Sir that we shall interrest ourselves in obtaining with all possible Speed the Attention & Decision of Congress on the Matters set forth in your Representation.²

Mr Sherman was so obliging as to give me the perusal of your Letter to him, and I am happy that Congress as a Body concur with you in the Sentiment therein containd, having passd a Resolution by a great Majority expressing their Sense that true Religion & good Morals are the only solid Foundations of publick Liberty and Happiness [. . .]³ I am Sir with the most cordial Esteem & Respect Yr Excys most obedt hbt servt
S. A.

FC (NN: Adams Papers). In the hand of Samuel Adams.

¹ Trumbull's October 5 letter to Adams is in *Trumbull Papers* (MHS Colls.), 2:276-77.

² For Trumbull's petition requesting a prompt settlement of the accounts of his son Joseph, which Congress had submitted on October 15 to a committee of which Adams was a member, see Henry Laurens to Trumbull, October 16, 1778, note 2.

³ Approximately five lines have been torn from the FC.

Samuel Holten's Diary

[October 16, 1778]

16. Friday. The articles respecting the surrender of the Island of Dominic to his most Christian Majesty came to hand this day.¹

MS (MDaAr).

¹ The articles of capitulation respecting the surrender of Dominica, which was captured on September 7 by a French force led by the marquis de Bouille, governor of Martinique, were published in the October 17 issue of the *Pennsylvania Packet*.

Henry Laurens to Joseph Clay

Sir

16th October [1778]

Within the present inclosure I have the honor of transmitting an Act of Congress of the 13th Instant directing the Deputy Paymaster General in the State of Georgia to pay into the hands of the Deputy Commissary, the Deputy Quarter Master and the Deputy Clothier General in that State, such sum or sums of Money as may be wanting in their several departments they to be accountable respectively, and for other purposes therein after mentioned, to which I beg leave more particularly to refer.¹

I have the honor to be &c.

LB (DNA: PCC, item 13). Addressed: "Jos. Clay Esquire Deputy Paymaster General of the Troops in Georgia at Savannah. by Colonel Wood."

¹ *JCC*, 12:1009. Laurens' letterbook indicates that copies of this resolution were also delivered by Moses Young to Clothier General James Mease, Commissary General Jeremiah Wadsworth, and Quartermaster General Nathanael Greene (via Deputy Quartermaster John Mitchell). PCC, item 13, 2:112.

Henry Laurens to Jonathan Trumbull, Sr.

Honorable Sir

16th October [1778]

I lately troubled you with two Addresses under the 7th and 13th¹ respectively by the hands of Messenger Freeman—since which I have had the honor of receiving and presenting to Congress your favor of the 6th Instant together with a Memorial and Petition of Mr. William Hoskins, which are committed to a special Committee and I trust will soon be reported.²

Within the present Cover you will receive Sir, an Act of Congress³ of this date for preventing the spreading of seditious Papers by the Enemy under the sanction of pretended flags of Truce or otherwise and for punishing Persons detected in attempts to disperse such Papers.⁴ I have the honor to be &c.

LB (DNA: PCC, item 13).

¹ See Laurens' letters to Rawlins Lowndes, October 5, note 2, and to the States, October 13, 1778.

² Trumbull's October 6 letter and Hoskins' September 17 petition, which contained proposals for the settlement of the accounts of the late commissary Joseph Trumbull, are in PCC, item 66, 1:414–21. They were referred to a committee consisting of Samuel Adams, Josiah Bartlett, Oliver Ellsworth, and Richard Henry Lee on October 15, which submitted a report to Congress on November 2. After reading the report, however, Congress simply decided to have it "recommitted," and not until March 31, 1779, were the committee's recommendations adopted. See *JCC*, 12:1011, 1091–92, 13:395–401.

² See Samuel Adams to Timothy Matlack, this date, note. Laurens enclosed this act and communicated the substance of this paragraph in brief letters of this date to all the states. PCC, item 13, 2:113-16. Those directed to Maryland and the states southward, however, were combined with his October 13 circular letter to those states, which had not yet been dispatched. *Ibid.*, fols. 110-11.

³ Laurens' letter enclosing this act to Rhode Island governor William Greene also included a brief paragraph introducing "an Act of Congress of the 13th Instant approving the advice and instructions of the Council of War of the State of Rhode Island and Providence Plantations acting under a Resolve of Congress of the 22nd November 1777, respecting the advance of Cloathing made to Officers doing duty in that State & the rate of payment for the same." See *JCC*, 12:1006-7; and Rhode Island Delegates to William Greene, June 27, 1778, note 5.

Henry Laurens to George Washington

Sir

16th October [1778]

I had the honor of writing to Your Excellency the 13th Instant by Messenger Freeman.

Inclosed Your Excellency will be pleased to receive an Act of Congress of yesterdays' date for removing from Massachusetts Bay to Charlottesville in Virginia the Troops of the Convention of Saratoga unless Sir Henry Clinton shall have complied with one of the requisitions of Congress in their Act of the 11th September last.¹

Also an Act of this date in a printed Paper forbidding every Person holding an office under the United States to encourage or attend at Theatrical Entertainments.²

I likewise trouble Your Excellency with an Act of the same date for preventing the spreading of seditious Papers in these States by the Enemy under the Mask of Flags of Truce or otherwise and for punishing Persons detected in attempts to disperse such Papers—this, as I apprehend was intended to extend as a direction to Your Excellency, and to Commanders of separate Departments, but upon a review I find it is not so comprehensive. It is therefore offered at present as matter of information.

I have the honor to be &c.

P.S. Your Excellency's favor of the 6th Inst. & the Roll containing proceedings of a Court Martial on General Schuyler have been duly presented to Congress.³

LB (DNA: PCC, item 13).

¹ For this "Act of Congress" of October 16 (not "of yesterdays' date"), see *JCC*, 12:1016.

² *JCC*, 12:1018. See also Laurens to the States, October 13, note 3; and Samuel Adams to Samuel P. Savage, October 17, 1778.

³ See *JCC*, 12:1001, 1004. Washington's October 6 letter recommending the marquis de Lafayette, who had recently come to Philadelphia to solicit leave to return to France for the winter, is in PCC, item 152, 6:395-98; and Washington, *Writings* (Fitzpatrick), 13:40-41.

Marine Committee to John Beatty

Sir

October 16th. 1778.

We have been informed that the business of retaining and Exchanging Marine Prisoners is not conducted by your Deputy at Boston with that attention which is necessary—therefore we request that you will immediately give Orders that all due regard be had to that business and that in exchanging your Said Deputy be observant and governed by the Orders of the Honorable the Navy Board of the Eastern Department. Mr. David Waterbury now a Prisoner on Parole in the State of Connecticut was taken by the enemy on Lake Champlain in the Month of October 1776 when he had the command of a Galley in the service of these States. We consider Mr. Waterbury at the time he was taken as a Captain in the Marine Line, and as such we request you will enter him on your List to be exchanged for an officer of equal rank when a Proper Opportunity shall offer.

We are sir, Your Hble servts

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

Samuel Adams to Samuel P. Savage

My dear sir

Philada. Oct 17 —78

I suppose you will have seen before this reaches you the Pennsylvania Packet of Tuesday last ¹ which contains a Resolution of Congress expressing their Sense that true Religion and good Morals are the only Foundations of Publick Liberty and Happiness; and earnestly recommending to the several States to take the most effectual Measures for the Encouragement thereof and to prevent Stage playing and such kinds of Diversions as are productive of Vice, Idleness, Dissipation and a general Depravity of Principles and Manners, also injoining on all officers of the Army to see that the Rules prescribed for the Encouragement of Virtue and the discountenancing of Prophaness and Vice are duly executed. You must know that in humble Imitation, as it would seem, of the Example of the British Army some of the officers of ours have condescended to act on the Stage while others, and one of Superior Rank were pleas'd to countenance Them with their presense. This with some other appearances as disagreeable to the Sober Inhabitants of this City as to Congress gave Occasion for the Resolution. I am sorry that by a Repetition of a theatrical Performance which at least appear'd to be done in contempt of the Sense of Congress, another Resolution became necessary.² You will see it in the enclos'd paper. The young french Marquiss

has discoverd the Dignity of the Citizen in the Regard he so readily paid to the Sentiments of those in Civil Authority on this occasion.³ I hope that other Gentlemen "of the first Rank & Fortune who deny themselves the Pleasures of domestick Life and expose themselves to the Hardships of a Camp in the glorious Cause of Freedom," show as much good Sense and Attention to the Cause of Virtue.

Adieu.

S A

RC (MHi: Savage Papers).

¹ That is, the October 13, 1778, issue which contained Congress' October 12 resolution on "true religion and good morals." *JCC*, 12:1001.

² This resolution was passed on October 16. *JCC*, 12:1018.

³ An "anecdote" describing the marquis de Lafayette's refusal to attend a play in Philadelphia, in keeping with the congressional resolution denouncing "theatrical entertainments" and following the personal example of President Laurens, was printed in the October 17 issue of the *Pennsylvania Packet*.

Samuel Adams to James Warren

My Dear Sir

Philad Octob 17. 1778

If I should tell you that I wonder much at the Conduct of some of our Politicians, I might discover my own Folly; for it is said a wise Man wonders at Nothing. Be it so; I am curious to know who made the Motion for the Admission of Gray, Gardiner and Jemmy Anderson?¹ Which of the Boston Members supported it. Are the Galleries of the House open? Do the People know that such a Motion was Made? A Motion so alarming to an old Whig! Or are they so incessantly eager in the Pursuit of Pleasure or of Gain, as to be totally thoughtless of their Country? I hope not. Gracious Heaven Preserve us from Vanity, Folly and the inordinate Love of Money. Your News Papers are silent upon every Subject of Importance, but the Description of a Feast, or the Eclat of some Great Man. Your able Patriot is wholly employd in spirited Exertions of the Military Kind, or he would surely have pourd forth all his Eloquence on so detestable a Motion. The Motion "did not obtain." I rejoyce in this; but Do you do Justice to the House by so faint an Expression? I hope they rejected it with every Mark of Contempt and Indignation. Do the Gentlemen who made and supported this Motion know, that even in this Quaker Country they are trying, condemning and I suppose will hang some of their considerable Men for Crimes not inferior to those of Gray and Gardiner. Jemmy Anderson I have forgot. I presume he is a little Man and a Scotchman. It is the opinion of the People of this Country that a Galloway could not atone for his publick Crimes by the Sacrifice of a thousand Lives. A Galloway, a Gray,

a Gardiner! Examine them and say which is the greatest Criminal. Confiscation, you tell me labors. "It labors very hard"! I have heard objections made against it, not in this Country, but my own. But I thought the objections were made by interested Men. Shall those Traitors who first conspired the Ruin of our Liberties, those who basely forsook their Country in her Distress, and sought Protection from the Enemy when they thought them in the Plenitude of Power—who have ever since been stimulating, and doing all they were able which it must be confessd was little indeed, to aid and comfort them while they were exerting their utmost to enslave and ruin us. Shall these Wretches have their Estates reserved for them and restord at the Conclusion of this glorious Struggle in which some of the richest Blood of America has been spilled, for the Sake of a few who may have Money in England, and for this Reason have maintained a dastardly & criminal Neutrality. It cannot be. I venturd to speak my Mind in a Place where I could claim no Right to speak. I spoke *with Leave* which I should have disdained to have done, had I not felt the Importance of the Subject to our Country. I will tell you my opinion. If you do not act a decisive Part; if you suffer those Traitors to return & enjoy their Estates, the World will say that you have no Sense of publick Injury and have lost your understanding. Adieu my dear Friend.

RC (MHi: Warren-Adams Papers). In Adams' hand, though not signed.

¹ In his September 30 letter to Adams, Warren had discussed a bill proposed in the Massachusetts General Court to readmit proscribed loyalists (including James Anderson, Harrison Gray, and Dr. Sylvester Gardiner) to the state. *Warren-Adams Letters*, 2:47-48. For a discussion of the political division in Massachusetts over the loyalist issue and over this bill in particular, see Stephen Patterson, *Political Parties in Revolutionary Massachusetts* (Madison: University of Wisconsin Press, 1973), pp. 200-202.

Paradoxically, at this same time Adams was working with James Bowdoin to secure a favorable reception for Bowdoin's son-in-law, John Temple, a former customs surveyor who was correctly suspected of being a British agent. See Adams to Bowdoin, September 3, 1778, note 2.

Josiah Bartlett to Mary Bartlett

My Dear,

Philadelphia October 17th 1778

My last was Sent by Col Folsom, Since which I have Receivd yours of the 24th of September & Polly's & Lois's of the 26th, and have the pleasure to learn that you were then all well, as I am also at this writing. I have Enclosed you Some news papers which will inform you what is the news here, but if this letter is as long a time on the road as mine to you Commonly are they will bring no news to you. I

think it probable this will be the last letter I Shall write you before I Set out for home unless Contrary to my present Expectation I Should be prevented from Setting off at the beginning of Novembr. I think you may begin to look for me in about a month from this time when I hope to have the pleasure of Seeing you and all the rest of my family well. If any thing Should prevent my Setting off So Soon as I now Expect I Shall write & inform you of it.

Remember me to all Enquiring friends.¹ I am yours,

Josiah Bartlett

RC (NhHi: Watt Collection).

¹ Three days later Bartlett added the following postscript: "October 20th. When I wrote the above I was in hopes of Sending it by an express; being Disappointed I now Send it by the post. Yesterday I recd yours of the first Inst. and have the pleasure to hear you were well. There are a great number of the British Troops about Sailing from New York, but to what place they are going is uncertain; to South Carolina Seems to me most probable from Several Circumstances that have Come to our Knowledge; Some think To Boston & Some to the West Indies; a few Days will probably put the Matter out of Doubt where they are bound."

William Duer to Comfort Sands

Dear Sir ¹

Phila. Octr. 17th 1778

I send you by Mr. Nourse two Notes of hand in favor of the Treasurer of the State of New York, one for Cornelius Humfrey of Dutchess County for £34.2/ the other from John Chamberlain of the said County for £25.6. These Notes were received in Payment of sundry Articles, purchased by those Persons in the County of Westchester, during the time I was on a Committee of the Convention in that County.

I likewise transmit to you an Account betwixt Genl. Thompson and the Convention of the State of New York, which I received from Mr. Matthew Irvin during the Time I was in the County of Westchester, together with the Ballance due to the State of New York being £22.10.1 which I then received of Mr. Irvin. You will be pleas'd to give to Mr. Nourse, Receipts for the two Notes and the above Ballance.

Pray don't fail to speak to Mr. Benson and to Mr. McKesson for the General Acct. Current of the Committee of the Convention, which I transmitted last Summer. I shall after a Stay of ten, or Twelve Days in Jersey (for which Place I shall set out about the Middle of next Week) repair to Esopus in Ulster County in order to settle all my public Accts and to restore my private Affairs to some Degree of Order.²

I am, very Sincerely, Yours,

Wm Duer

RC (NNPM: Signers of the Articles Collection). Addressed: "To Comfort Sands Esqr. Auditor of the State of New York."

¹ Comfort Sands (1748–1834), a New York merchant and member of the New York assembly, became a major supplier of the Continental Army by the end of the war. See Clarence L. Ver Steeg, *Robert Morris, Revolutionary Financier* (1954; reprint ed., New York: Octagon Books, 1972), pp. 142–45.

² Duer remained at Congress at least until November 16, the last date he is recorded as voting. The Board of War report dated December 20, 1778, that is printed in the journals showing Duer in attendance at that time is actually one of December 20, 1777. See *JCC*, 9:1047, 12:1135, 1238.

Henry Laurens to Philip Schuyler

Sir

17th October [1778]

I had Yesterday the honor of presenting to Congress your favor of the 6th Instant, on the 12th Instant I delivered to the House the proceedings of a Court Martial to which you allude.¹

Be assured Sir, if a determination by Congress on those proceedings happens before the expiration of my time in the Office of President, you shall be immediately informed. I have but a moment for serving the present opportunity.

I have the honor to be &c.

LB (DNA: PCC, item 13).

¹ *JCC*, 12:1001, 1018. Schuyler's October 6 letter requesting a prompt review of the proceedings of his recently completed court-martial is in PCC, item 153, 3:356–58. Not until December 3, however, did Congress take up his case, at which time it confirmed the sentence, "acquitting Major General Schuyler, with the highest honor, of the charges exhibited against him." *JCC*, 12:1186.

Marine Committee to Paul Loyall and James Maxwell

Gentlemen

October 17th. 1778

We have determined to resume the building of One of the Frigates that are on the stocks at Gosport, and now direct that you will immediately proceed to build that One of the said frigates which at this time is most forward—the work done towards the other you will secure, so as to prevent damage from the weather. To enable you to go on with this business we Send you by the bearer hereof Mr. James White 20,000 Dollars agreeable to his receipt enclosed, which we doubt not you will manage with the greatest Economy and give great attention and dispatch to the business committed to your care.¹

You will inform us from time to time of your proceedings &,
We are Gentlemen, Your Hble servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

¹ Congress had approved this payment to its marine agents in Virginia, Loyall and Maxwell, on September 9. *JCC*, 12:892-93.

John Mathews to Thomas Bee

My Dear Bee,

Philadelphia Octr. 17th 1778.

I am set down with a heavy & aching heart to write to you. To you I can communicate my sentiments without reserve, as I am sure you will never betray that confidence I repose in you. I will now speak more freely to you than I have yet done. They are the dictates of an honest heart that means well, & is deeply impressed with the most poignant grief in contemplating the ruin that impends over this unhappy country. Since I have come into C—— I have viewed the progress of its business with a curious, & a watchful eye. I have for some time past thought this body by no means competent to do the great public business intrusted to them, I am *now* thoroughly convinced of the Justice of this observation. I do not think it would be prudent to trust my reasons to paper, I will reserve them untill we meet. Do not think me actuated by an over jealous disposition. Indeed I am not. I have refrained from saying this much, untill I was satisfied there was no room left whereon to hang a doubt. A change of Men, or measures, must be speedily effected, or we are lost. It is a melancholy truth, & as I think it high time it was known, I must tell you that the American cause never stood so near the pinnacle of destruction as it at this day does, & is daily approaching nearer to its downfall. Whence arises this dangerous alarm? I may be asked. From men in whom you repose an implicit confidence, & who are not worthy of it. These are serious matters, & require no less serious consideration. They are meant to operate so far in your mind as to produce something for the benefit of that virtuous cause in which you took so early & decided a part, and the same noble Patriotism which first fired your bosom to step forth in its support, will, I make not the least doubt again engage your exertions of mind, to devise some means for conducting it to a final & happy Issue. I would wish to see one State at least in the Union have fortitude and honesty enough to instruct their Delegates to remonstrate in pointed & severe terms, against the abuse, & waste of time that Daily is committed in that body. The great public concerns are left to shift for themselves, whilst almost our whole time is ingroced by the private interests of individuals. Alas! C—— is not what it has been. Your own good sence will at once dictate to you that this must be, inter nos, It is a delicate affair, & ought to be handled with extream tenderness, for if these things were once to get abroad, the consequences, you must at

once perceive. I intend when I am about to leave C—— to speak my mind very freely to them on this subject, & shall conclude with telling them I am abundantly satisfied they are not calculated to conduct the business intrusted to them, & if the States do not fall upon some other mode, by which the concerns of the American States, are to be managed, we must inevitably fall to pieces, & that I intend to tell the State so I belong to, as soon as I go home, & will too.

Octr. 18. For particulars of the intelligence we received yesterday, of the expedition against you I must refer you to Hall. We set untill past ten oClock last night on this business & at last carried our point for 2000 men more to be sent you from No. Carolina,¹ this will make 6000 in the whole, which with our own force, will pretty effectually secure us against this cruel enemy, provided they are with you in time. We have taken every step we possibly could, that they should be, & hope they will, at least the first 4000.² You know my hand-writing therefore shall not put my name to this. I am my Dr. Sir,
Yours most sincerely,
J.M.

RC (ScC: Bee Papers).

¹ See JCC, 12:1021.

² A reference to Congress' September 25 resolution requesting Virginia to supply 1,000 men and North Carolina 3,000 for the defense of Georgia and South Carolina. JCC, 12:950.

Henry Laurens to William Alexander

Sir, Philadelphia 18th October 1778

I have had the honor of receiving & presenting to Congress Your Lordship's Letter of the 13th Inst.¹ The House were well pleased with the Contents; repeated intelligence of what passes within Your Lordship's department respecting the movements of the Enemy will be very acceptable.

Within the present Inclosure will be found an Act of Congress of the 17th Inst. permitting Mrs. Yard to return to this City with her Trunks & Baggage without any examination, to which I beg leave to refer.²

I have the honor to be, With great Respect & Esteem, Sir, Your Lordship's Obedient & most humble servant,

Henry Laurens,
President of Congress.

RC (MeHi: Fogg Collection). LB (DNA: PCC, item 13). Endorsed: "delivered General Reed by M. Young."

¹ JCC, 12:1013. Alexander's October 13 letter, which was read in Congress on the

16th and referred to the Committee of Intelligence for publication, is in PCC, item 162, fols. 527-29. "By all the intelligence I have been able to Collect," Alexander had reported, "a grand Embarkation will immediately take place at New York, they give out it is for South Carolina, some say it is for Boston, but from the Season and a Variety of Other Circumstances I Conclude it is for the West Indies."

² See Laurens to Joseph Reed, this date.

Henry Laurens to the Chevalier de Cambray

Sir.¹

Philadelphia, 18th October 1778

I have barely time to acknowledge the receipt of your favor of 24th September,² to assure you your Letter which came inclosed in it shall be carefully sent forward, of my friendship for you on all occasions admitting my interposition with propriety, and that I have the honor to be with great Regard, Sir, Your obedient & most humble Servant,

Henry Laurens.

[P.S.] Gen McIntosh will communicate the News of the day.

RC (Biblioteca Nazionale Centrale, Firenze, Italy).

¹ Louis-Antoine-Jean-Baptiste, chevalier de Cambray-Digny (1751-1822), was appointed lieutenant colonel of engineers in June 1778 and sent to Fort Pitt where his engineering and artillery talents were needed by Gen. Lachlan McIntosh. Cambray's qualifications and former military service were reviewed at length in a June 13, 1778, Board of War report that recommended him for a Continental commission. *JCC*, 11:604-5.

² Cambray's letter to Laurens, which bears the dateline "Fort Pitt. 24th Sept. 1778," is in the William Gilmore Simms Collection deposit, MHi. Just two days after Laurens wrote this letter Congress reassigned Cambray to South Carolina "for the purpose of putting the town and harbour of Charleston in the most respectable posture of defence." *JCC*, 12:1032. Laurens informed Cambray of this reassignment in a brief letter of October 24. PCC, item 13, 2:133.

Henry Laurens to Patrick Henry

Sir

18th October [1778]

I had the honor of writing to Your Excellency the 16th Instant by Colonel Wood.¹

Congress having received further intelligence from New York of the Enemy's design to make an Attack upon South Carolina, and that an embarkation of Troops for that purpose had actually commenced, have directed me to request Your Excellency to forward with all possible Expedition the 1,000 Men requested to be sent for the aid of that State² in an Act of Congress of the 25th Ult. which I had the honor of transmitting in my Letter to Your Excellency of

the 26th,³ but as nothing I can say can have equal efficacy with the Act of Congress passed on this occasion the 17th Instant I shall here inclose the said Act and beg leave to recommend its contents to Your Excellency's attention.⁴

I Am with great Respect & Esteem Sir &c.

P.S. I am directed to assure Your Excellency that Money for payment of the troops will be remitted in a few days.⁵

LB (DNA: PCC, item 13).

¹ See Laurens to Jonathan Trumbull, Sr., October 16, 1778, note 3.

² At this point an asterisk was inserted to key the following note at the foot of the page: "meaning South Carolina and Georgia."

³ See Laurens to Richard Caswell, September 26, 1778, note 2.

⁴ For this resolution requesting reinforcements from North Carolina and Virginia for the defense of South Carolina and Georgia, the number of which was hereby raised to 6,000 from the 4,000 previously requested, see *JCC*, 12:1021.

⁵ Laurens also wrote a nearly identical letter this day to Gov. Richard Caswell of North Carolina. Fogg Collection, MeHi.

Henry Laurens to John Houstoun

Sir

18th October [1778]

I beg leave to refer Your Excellency to my late letters of the 13th and 16th Instant sent to Governor Caswell by an Express Messenger with a request to the Governor to be forwarded immediately to Charlestown.¹

Congress having received recent repeated intelligence of the design of the Enemy to attack Charlestown or some part of South Carolina have directed me to request the Governors of Virginia and North Carolina to forward with all expedition the troops requested for the aid of South Carolina and Georgia in their Act of the 25th Ulto. and also an additional number of two thousand from North Carolina as Your Excellency will be more particularly informed by the Inclosed Act of the 17th Instant.

One of the British Commissioners' Manifesto flags of Truce intended for this River,² having on board three Packets supposed to be intended for Delaware, Pennsylvania and Congress was by a violent wind driven a few days ago on the Jersey shore and wrecked, the Commander of the flag Vessel said to be a Lieutenant of a British 50 Gun ship, a Midshipman and eight or ten Seamen escaped with their lives, these were seized and sent prisoners to Philadelphia, and were yesterday committed to the New Goal—tomorrow I shall enquire more particularly into the history of their errand, there is among the Seamen a person who was formerly a skillful Pilot on

the Delaware; the hazard which this Man would have been exposed to, had the Vessel come safely in, would have been very great, it is therefore to be suspected that he was sent in order to discover what obstructions have been made in the River since the Enemy abandoned it, and 'tis not to be doubted that each of these Flags will contain Spies and Emissaries.

I have the honor to be &c.³

LB (DNA: PCC, item 13).

¹ See Laurens to the States, October 13, 1778, note 1.

² See Samuel Adams to Timothy Matlack, October 16, 1778, note.

³ Laurens wrote a nearly identical letter this day to President Rawlins Lowndes of South Carolina. PCC, item 13, 2:119-21.

Henry Laurens to Casimir Pulaski

Sir

18th October [1778]

I had Yesterday the honor of receiving & presenting to Congress your Letter of the 16th, which is the only one yet come to my hands.

While we regret the loss of Colonel the Baron Bose, Monsr. de Borderie and the few men who fell with those brave Officers in the late Night attack by the Enemy, the escape of the whole and the retort made upon the assailants, is ascribed Sir, to your animated and timely exertions.¹ Congress wait to learn from you the particulars of this affair, there is much propriety in the disposal of the two Guides.

With respect to the Tories and that conduct of the Militia which you complain of, attempts are daily made for obtaining reforms in both, but in infant States such evils have ever appeared, and are not to be removed in a moment.

I have the honor to be &c.

LB (DNA: PCC, item 13).

¹ Pulaski's October 16 letter to Laurens, in which he described an attack on his post at Little Egg Harbor that resulted in the death of Baron Bose and Lieutenant de la Borderie before he was able to bring up his cavalry to drive off their assailants, is in PCC, item 164, fols. 17-22. It was read in Congress and referred to the Committee of Intelligence on October 17. *JCC*, 12:1020.

Henry Laurens to Joseph Reed

Sir,

Sunday 18th Octr. [1778]

In obedience to the Order of Congress laid on me last evening, I have written the Letters to Lord Stirling respecting Mrs. Yard, with-

out postponing the matter on Account of the day.¹

When I reflect that on the 13th Instant I transmitted to General Washington an Order of Congress "to take effectual measures for preventing an illicit commerce between the inhabitants of these States and the Enemy in the garrison at New York," and take into consideration the present Permit to pass Trunks & Baggage from that place without examination, I feel a deep apprehension for the honor of Congress which will probably be called in question by the Army in the first instance, and possibly by the good people at large in these States eventually; nor am I without some concern on your account Sir, should it hereafter appear that such Trunks and Baggage had contained Merchandize, and had not been fully explained to Congress when the Permit for free passage was applied for. Pardon me Sir, for these suggestions, they flow from the purest motives. You will determine in a moment whether they contain any degree of propriety and will act as you shall judge proper. I therefore submit the Letter to you under a flying Seal to be sent forward immediately or detained for further reflection on the subject matter. If you shall determine the former be pleased to close the Letter by a wafer.

Believe me to be, Dear Sir, With great Respect and Regard, Your Obedient &, Most Humble Servt.

LB (DNA: PCC, item 13). Endorsed: "delivered by Mos. Young."

¹ See Laurens to William Alexander, this date. The previous day, Congress had "Ordered, That a letter be written by the President to Major General Lord Stirling, informing him that the bearer, Mrs. Yard, is permitted to return to this city [from New York], with her trunks and baggage, without any examination," a remarkable concession that Reed had doubtless played a key role in obtaining although he was no longer attending Congress. *JCC*, 12:1021. The following draft letter, dated "Phila. Oct. 17, 1778," and addressed "To the Right Honorable the Earl of Stirling or other the commanding Officer at Elizabeth Town," in Reed's hand, is in the Laurens Papers, no. 17, ScHi. "The Case of the Bearer has been laid before Congress, & for particular Reasons she is permitted to return to this City with her Trunks & Baggage without any Examination. To which you will please to conform, & give her all proper Assistance."

The proprietor of a popular boardinghouse in Philadelphia where many delegates had boarded since 1774, Mrs. Yard was apparently able to draw from a deep reservoir of goodwill to obtain this special mark of favor, which Laurens obviously found to be a considerable embarrassment. For information on how this resolution was actually carried out when Sarah Yard attempted to pass the lines in New Jersey, see Laurens to Alexander, October 25, 1778.

John Penn to Richard Caswell

Dear Sir,

Philadelphia Oct. 18th 1778

Congress were yesterday informed by what is said to be good authority, that several thousand of the Enemy are about embarking

from New York for Charles Town in hopes of being able to surprise the Inhabitants and to get much plunder. Your Excellency will observe from the proclamation published by the British Commissioners that they intended to destroy every thing they can alleging by way of excuse, that America was mortgaged to France—their natural Enemy and it was now the intent of Britain to ruin the estate, to prevent them from getting any advantage from our connection. They have burnt and destroyed all the houses & other property of the Inhabitants of Jersey lately, whenever it was in their power. I can hardly believe yet, they will go to South Carolina, but as there is some reason to fear it, we should endeavour to be prepared so as to prevent their being able to practice such horrid cruelties as they do.

The French have taken Dominica and Turks Island, and will soon be in possession of all the British W. Islands, unless they are defended in a different manner, from what they now are, nor have they any other resources than what are here plagueing us. Count de Estaings Fleet will shortly be fit for sea again, and how the Enemy can continue to divide their shipping without leaving him superior to what is left I know not. We have no late information from Europe worth mentioning, Except that the Emperor of Germany and the King of Prussia are at the head of 250,000 Troops each well officered, they seem disposed to try who has the longest sword.

The Delegates wrote your Excellency an official letter not long ago, tho' we have not had the pleasure to hear from you since our arrival, in that way. I have received one letter only, I shall think myself much obliged to you for some account of what is doing to the Southward, when you can spare so much time; I wrote to you the first of this month,¹ giving you all the information that I suspected would please or was worth your attention. I should take pleasure, in corresponding with you if agreeable besides what is necessary in our official characters. Genl. Howe is directed to repair to head Quarters to join the grand army, and Genl. Lincoln goes to So. Carolina to take the command there. The latter is from Massachusetts Bay. He is highly spoken of—both as a Soldier and a Gentleman—by all that know him, especially by the Southern Officers.

The French Minister behaves with great propriety as far as I am able to judge of his conduct. I wrote you the situation Genl. Lee was in, Congress have been so engaged in business, that we have not had as much time as to take up the proceedings of the Court. However that will be the business of to morrow.

Genls. Schuyler and St Clair are honorably acquitted by the Court Martial. We shall examine their trial soon.² My Compliments to your Son, And am with due respect your Excellency's Mo. Ob. Servt.

John Penn

Tr (Nc-Ar: Governors' Letter Books).

¹ Not found.

² Congress approved the verdicts of the courts-martial of Gens. Philip Schuyler and Arthur St. Clair on December 4 and 16, 1778, respectively. *JCC*, 12:1186, 1225-26. See also these *Letters*, 7:417.

Samuel Holten's Diary

[October 19-20, 1778]

19. Monday. Congress received accounts from Lord Sterling that the enemy were preparing for a grand movement from New York, but where is uncertain.¹ I wrote to Capt. Batchelder.²

20. Tuesday. Genl. Lincoln & his aid dined with us.³ I wrote to Mrs. Holten (No. 25).⁴

MS (MDaAr).

¹ Gen. William Alexander's October 17 letter to President Laurens, which was read in Congress on the 19th, is in PCC, item 162, fols. 531-32. *JCC*, 12:1023.

² Not found.

³ Gen. Benjamin Lincoln had stopped in Philadelphia for a short visit en route to South Carolina where he was to assume the command of the southern department to which he had been appointed on September 25. The following note inserted by Moses Young in President Laurens' letterbook under the date October 19 involves an item of official business pertaining to Lincoln's new appointment.

"Delivered General Lincoln himself two Acts of Congress viz. one of the 12th Inst. strictly enjoining all Officers in the Army of the United States to see that the good and wholesome Laws provided for the preservation of Morals among the Soldiers be duly observed. Another of the 13th directing the D. Paymr. Genl. in the State of Georgia to pay into the hands of the Deputy Commissary, Quarter Master & Clothier General such sums of Money as they may require upon obtaining a Warrant for that purpose from the Commanding Officer in the Southern Department." PCC, item 13, 2:118.

⁴ Not found.

Richard Henry Lee to Arthur Lee

My dear Brother,

Philadelphia Octr. 19. 1778

Monsieur the Marquis de la Fayette having done me the honor to take a letter for you, I am happy in the opportunity of bringing two men acquainted with each other whom I greatly love. All good men in these United States esteem the Marquis for his brave and generous attachment to the cause of America, and for the services he has here performed as a General in our Army. It is impossible that a person of such worth should not feel the obligation of returning to offer service to his country when engaged in war. Yet the Marquis still continues a Major General in the Army of the United States, and

we hope will be permitted by his Sovereign to come back more effectually to our aid, by adopting the plan proposed by Congress, for an account of which I refer you to the Marquis.

Be so kind as [to] introduce my son Ludwell to the Marquis, and charge the Youth to respect Monsr. Fayette as the much esteemed friend of his father. I am my dear brother most affectionately yours,
Richard Henry Lee

RC (ViU: Lee Family Papers).

Robert Morris to Jean Holker

Dear Sir

Philada. Octr. 19th. 1778

I have not yet had the pleasure to hear from you; but by Mr. Rowes letter of the 6th inst. I perceive you were at Boston. His drafts No. 1 to 9 amount 107,702 Dol. are duly accepted, as will Such others as you or he by your directions may draw. I continue also to pay Mr. Oster's order for the expenses of *the Ship Chimere and the two prizes which Seem to accumulate pretty fast*. The *Salt* imported in the *Jeune Achilles* remains in Store and I now understand it belongs to the marine of france, it will remain there for your orders. Mr. Oster will inform you that *another Cargo of this Salt* is arrived at Baltimore, nothing is yet done with Capt. Roche and I wish he was here in person as he makes Some difficulties that you might remove more easily than I can. However we are to meet this day on the business and I Shall bring it to some conclusion or other. Considering that you may probably have occasion for much money in Boston I have endeavour'd to Sell more bills, but I find a considerable alteration is operated in the course of Exchange by the Loan office bills being pretty generally offer'd for Sale at 500 per Ct. and those being deemed as good as any can be, no body will now give me 600 per Ct. as they did before. I mention this for your information that you may avail yourself of a favorable course of exchange at Boston, if you want to draw further & can there get a price to your liking. Capt. Deane in the Sloop *la Liberty* Sailed from Virginia for France Some time ago and Mr. Harrison has charg'd me for the Cargo and Expences of the Vessell upwards of £3600. *Mr. Clarkson has charged me with upwards of £10,000 for goods bought from the Sales of the prizes which are to be account'd for by Mr Mitchell Quarter Master General and will be placed against the Cost of the flour Supplied the fleet*. I am told the *Chemere* frigate is coming up to the City which will no doubt cause an encrease of expences. The goods from No. Carolina intended for Mr Harrison had not reached him at the date of his last letter. I have at last procured an order

from Mr. Lewis for the delivery of the Cannon brought by Capt. Borritz in to No Carolina to the States of Virginia and No Carolina each to pay for what they receive agreeable to the Contracts in tobacco. These Resolutions of Congress and the Commercial Committee I Shall send down by tomorrow's Post and hope the States will immediately deliver the Tobacco and thereby Save demurrage. Thus far is all the intelligence that occurs to me as necessary to be given you at this time. If any thing further offers I Shall write you again by this Post. The time is now near at hand when I Shall be relieved from my Seat in Congress, but you may See in our news Papers that our fellow Citizens are determined not to leave me master of my own time, and as I cannot by our Constitution Serve longer in Congress they have Elected me a Burgess for this City in the general assembly. This However will not claim quite So much of my time as the Congress did. *Should your wants of money for the fleet extend to Such Sums as you may conceive will exceed your deposits here to an inconvenient degree, you will doubtless desire Monsr Gerard to apply to Congress for that advance untill you can at convenience replace it, which I mention just to remind you of what in Such case may be necessary.* I Shall be happy to hear of your finishing your business at Boston & still more to see you return here, being Dr. Sir, Your's &Ca. R.M.

Tr (DLC: Holker Papers).

Samuel Adams to Elizabeth Adams

My Dear Betsy

Philadelphia Octob 20th—78

A few days ago Mr Brown, a publick Messenger carried a Letter from me to you, which I hope you will receive before this reaches you. I feel a Pleasure when I sit down to write to you and omit no opportunity. My Boston Friends tell me with great Sollicitude that I have Enemies there. I thank them for their Concern for me, and tell them I knew it before. The Man who acts an honest Part in publick Life, must often counteract the Passions, Inclinations or Humours of weak and wicked Men and this must create him Enemies. I am therefore not disappointed or mortified. I flatter my self that no virtuous Man who knows me will or can be my Enemy; because I think he can have no Suspicion of my Integrity. But they say my Enemies "are plotting against me." Neither does this discompose me, for what else can I expect from such kind of Men. If they mean to make me uneasy they miss their Aim; for I am happy and it is not in *their* Power to disturb my Peace. They add, The

Design is to get me recalled from this Service. I am in no Pain about such an Event; for I know there are many who can serve our Country here with greater Capacity (though none more honestly). The sooner therefore another is elected in my Room the better. I shall the sooner retire to the sweet Enjoyment of domestick Life. This, you can witness, I have often wished for; and I trust that all gracious Providence has spared *your* precious Life through a dangerous Illness, to heighten the Pleasures of my Retirement. If my Enemies are governd by Malice or Envy, I could not wish them a severer Punishment than their own Feelings. But, my Dear, I thank God, I have many Friends. *You* know them. Remember me to them all as you have opportunity. I could say many more things to you, but I am called off. My Love to my Daughter & Sister Polly and the rest of our Family and Connections. Adieu. Your most affectionate,
S. Adams

RC (NN: Adams Papers).

Samuel Adams to James Warren

My Dear Sir.

Philadelphia, Oct. 20th, 1778

I am much pleas'd with the Respect lately shown to the Count D'Estaing and his Officers, but not with the Etiquet of your publick Entertainment.¹ The Arrangement of the Toasts was not perfectly agreeable to my Idea of Propriety. This may be thought unworthy of Notice. But there is no Appearance made by the Publick but, like that of a private Individual, adds more or less to its Honor or Disgrace. Besides, Things which detatch'd & by themselves are justly considered as Trifles light as Air, when they are connected with and made Parts of a great Machine, become important and do good or Hurt. The Monarch & Kingdom of France preceeded the Congress; and the Army & Navy of France that of America. Nations and independent sovereign States do not compliment after the Manner of Belles & Beaus. The superior Respect paid to the General & Army of America to that shown to the Congress, viz. by the Addition of a *feu du joy*, I suppose was conformable to the practice of all wise States in giving a just Preference to the Military above the Civil Power. It must be confess'd it is ground'd on Principles truly and altogether Republican. Yet the old fashioned Whiggs murmur at it; and with a Mixture of Pleasure and Indignation contrast the present with past Times when it was made a Capital Point, to keep the former under the Controul of the latter. Men are prone to Idolatry; and some who seem to scorn the worshipping Gods of other

Nations, will bow down to graven Images of Gold & Silver, and, strange Infatuation! of Wood in the Form of an Ass, an Ape or a Calf, no matter what, if it be the Work of their own Hands. In Truth, my Friend, the Congress appears to be in an awkward Situation. While they are exerting their utmost Influence, on all proper Occasions, to support the civil Authority of the several States over the military, there are some Men, even in that State which my Partiality had almost led me to pronounce the most respectable in the Union who would have less Respect shown to them than to the Creatures which they have made. Tyrants have been the Scourges and Plagues of Mankind, and Armies their Instruments. These have been said by ignorant Flatterers & Sycophants to be the Vicegerents of the Almighty to punish Men for their Sins, and therefore not to be resisted or contrould. The Time may come when the Sins of America may be punished by a standing Army; and that Time will surely come when the Body of the People, shall be so lost to the Exercise of common Understanding and Caution, as to suffer the Civil to stoop to the Military Power.

I will finish this Scrawl with an Anecdote. Not many Days ago a Sherriff of the County of Philadelphia attempted to serve a Writ on the Person of the Count Pulaski. He was at the Head of his Legion and resisted the Officer. A Representation of it was made to Congress by the Chief Justice who well understands his Duty and is a Gentleman of Spirit. The Count was immediately ordered to submit to the Magistrate, and informd that Congress was determind to resent any Opposition made to the civil Authority by any of their officers. The Count acted upon the Principle of Honor. The Debt was for the Support of his Legion, and he thought the Charge unreasonable as it probably was. He was ignorant of the Law of the Land and made the Amend honorable. The Board of War afterwards adjusted the Account and the Creditor was satisfied.² Adieu.

S.A.

[P.S.] I intreat you not to resign your Seat at the Navy Board.³

RC (MHi: Warren-Adams Papers).

¹ Warren had described Massachusetts' entertainment of the French officers at Boston in his September 30 letter to Adams. *Warren-Adams Letters*, 2:47-50.

² See *JCC*, 12:974, 979-80.

³ Warren wrote a letter of resignation to President Laurens on October 28 and explained his action in October 25 and November 5 letters to Adams. Adams, however, refused to deliver Warren's resignation to Congress, and on December 8, 1778, Warren informed Adams that "agreeable to your desire" he had suspended the matter of resignation "for further Consideration." See *Warren-Adams Letters*, 2:59-63, 77; Elbridge Gerry to Warren, November 8; and Adams to Warren, November 9, 1778.

John Henry to Thomas Johnson

Dear Sir

Philadela. Oct. the 20th. 1778.

I had the Honor of writing to you yesterday in the morning.¹ Since that Time the following Intelligence recd. from Lord Sterling has changed the opinions of most Gentlemen with respect to the immediate operations of the Enemy.

"A certain Capt. Clure who was taken sometime since by the Enemy in a Merchant Ship, came out of New York yesterday, and gave me more particular Intelligence than I have been able to procure. He says that two hundred and fifty Sail of Transports are prepared for the reception of Troops. The Embarcation is in part begun. All the heavy Iron Cannon from the Batteries are shipped. Sixteen Sail of the Line to go on what they call the *grand Expedition*.

"I have this Moment received the report of the Officer I have fixed at Amboy to watch the Motions of the Enemy. He says Oct. the 16th twelve ships fell down to Sandy Hook. Oct. the 17th early in the morning about one hundred Sail of Ships of War and Transports fell down to the Hook. Their grand movement is on the point of taking place, and I hope to be able to morrow to know their Destination."

There is in the Secretarys office twenty copies of the first and second Volumes of the proceedings of Congress; If it is agreeable to the Assembly, I will have them packed up and sent by way of Cristeen to Annapolis.

The Flag that was coming to this City with the Manifesto and proclamation from the Commissioners is cast away on the Jersey shore.² Two officers and ten men were saved. They had three packets which were lossed. If the General Assembly is now sitting you will be pleased to communicate, this intelligence to them. I wrote to the Speaker yesterday³ and gave him the News of the Day which was not as perfect as the present, which I believe may be depended on.

I am at present alone and from the important Business before Congress, respecting our finances and foreign Affairs, earnestly desire a representation as soon as any of my Colleagues can possibly attend.⁴

I am Sir with great respect to you and the Council, Your most obedient and very hble Servt,

J. Henry Junr

[P.S.] The Letter from Sterling was dated on Saturday last.

² See Samuel Adams to Timothy Matlack, October 16, 1778, note.

³ Not found.

⁴ Maryland, which required the attendance of two delegates to cast its vote in Congress, was not represented again until William Carmichael and William Paca joined Henry on November 19 following the state's election of a new slate of delegates on November 13, 1778. *JCC*, 12:1141–42. Thomas Stone, who had attended briefly with Henry at the beginning of October, submitted a letter of resignation to the speaker of the Maryland House of Delegates on October 28, 1778. Roberts Collection, PHC.

Henry Laurens to James Deane

Sir

20th October [1778]

I have had the honor of receiving and presenting to Congress your Letter of the 6th Instant, which came by the hand of Captain Blecker.

The Letter is committed to a special Committee, when a Report is made and Congress shall have formed a Resolve on the important subjects treated of, if it be within the line of my Presidency, you shall be immediately advised by Sir, Your Most Obedient & Most Humble Servant.¹

LB (DNA: PCC, item 13). Addressed: "James Deane Esquire, Fort Schuyler, by Captain Blecker."

¹ Indian agent James Deane's October 6 letter to Congress was read on October 19 and referred to a committee consisting of John Witherspoon, Gouverneur Morris, and William Henry Drayton, who were already engaged in preparing a "plan of an attack upon Quebec" that was laid before Congress on October 22. Containing evidence of strong pro-American sentiment among the French Canadians and the Caughnawaga Indians, who declared that "Congress can never expect a more favorable Opportunity to dispossess the Enemy of Canada than the present," Deane's letter arrived at an opportune moment for proponents of a Canadian invasion. Although the impetus for the attack that Congress approved at this time came from the marquis de Lafayette, and relations with France rather than with the Canadians and the northern Indians was the principal factor weighed by Congress, Deane's intelligence was undoubtedly gratifying to Lafayette's supporters. No evidence has been found, however, to indicate that Deane was "immediately advised" of the proposed attack on Quebec. See *JCC*, 12:1023, 1042–45; PCC, item 78, 7:217–20; and Committee for Foreign Affairs to Washington, October 27, 1778.

Henry Laurens to Comte d'Estaing

Sir

[October 20, 1778]

I have the honor of transmitting within the present inclosure, an Act of Congress of the 17th Instant expressing the high sense which the Representative Body of these States entertains of Your Excellency's zeal and attachment in the Cause in which the Arms of

His Most Christian Majesty & those of the United States of America are mutually engaged.¹ Also, of their perfect approbation of the conduct of Your Excellency & of the Officers and Men under Your Excellency's Command.

Although Sir, no words of my own can give energy to the language of the Resolves of Congress, I may be permitted upon this occasion to assure Your Excellency the present Act contains not only the opinion of Congress, but, as far as I can penetrate, the genuine sentiments of each Member, & it is with particular satisfaction I do so.

I have the honor to be, With the highest Respect and Esteem,
Sir, Your Excellency's Most obedient and Most humble servant,

Henry Laurens,
President of Congress

RC (Archives nationales: Archives de la Marine, B⁴:146).

¹ For this effort to counter the effects of Gen. John Sullivan's criticism of d'Estaing's withdrawal from the recent Franco-American expedition against the British at Rhode Island, see *JCC*, 12:1021. See also Laurens to Comte d'Estaing, September 10; and Samuel Adams to James Warren, September 12, 1778, note 3.

Henry Laurens to Charles Stewart

Sir,

Philadelphia 20th October 1778.

I have had the honor of presenting Your Letter of the 13th Inst. to Congress & although no particular determination was had I have reason to believe the House approve of your sentiments respecting Mr. Winship late dep. Commy. of Issues in the Northern department¹—the vacancy which his neglect had made in that Office is now supplied by the appointment of James Gray Esquire who will deliver this & enter immediately upon the execution of his duty.²

I am with great regard, Sir, Your most obedient, humble servant,
Henry Laurens, President of Congress.

RC (MH-H: bms Am 1243). Addressed: "Charles Stewart Esquire, Commissary general of Issues in the Northern department."

¹ Upon reading Stewart's October 13 letter complaining that Ebenezer Winship had for months refused to submit his accounts for settlement, Congress immediately adopted Stewart's recommendation that James Gray be named to replace him. See PCC, item 78, 20:319; and *JCC*, 12:1023.

² This day Laurens also wrote a brief letter to James Gray notifying him of this appointment. PCC, item 13, 2:123.

Gouverneur Morris to Sir Henry Clinton

[October 20, 1778]

To SIR HENRY CLINTON, &c. &c.

May it please your Excellency.

I have been favoured with the sight of your letter to the Congress, dated at New-York, the 19th September, 1778, on which I shall take leave to make a few observations.¹

It was suggested to me to notice the requisition you sent upon the same subject, some time since, as a Commissioner, in conjunction with your brethren, Eden and Carlisle. I avoided it, because I was certain your Excellency would offer me another and a better opportunity. You will, however, pardon me for referring to that paper on the present occasion.

Let me observe, Sir, that fraud and hypocrisy, however they may be mistaken for policy by weak minds, are of a very different family, and have not the slightest connection. The use of them is at all times dishonourable, sometimes dangerous. They may serve one turn and for one moment, but they frequently fail even of that short purpose, and impede a man in all his future operations. If ever there was an opportunity for using these weapons successfully, you had it with us; for we reposed the highest confidence in British integrity, and we had an affection for the nation. But you have so imprudently dissipated our good opinion, that when you aim a great stroke the means are wanting.

When your officers broke their paroles, we imputed it to a defect of principle among them individually from the want of education and other circumstances of that kind, which, considering the characters of some, is not to be wondered at. And when we heard that these persons were not only countenanced but caressed, we did not believe it.

We know tolerably well the insidious manners of your court, for they were painted by your own citizens, and we had reason to believe their assertions. We found the design to enslave us was persisted in through every change of Ministers and measures, and professions in a long course of years. But we did not, we could not believe that their baneful influence had so deeply affected every order of your state. And though the conduct of Lord Dunmore, in tendering freedom to all the slaves who should butcher their masters and repair to his standard, was sufficient to have opened our eyes. Yet our partiality in your favour led us to attribute this to the profligacy of his private character, and to a predeliction for Negroes, arising from his natural propensity to the females of that complexion.

In short, I have known some of the best friends to America behave

coldly to their friends, for believing the relation now too well attested, of your conduct to those unhappy men who capitulated at Fort Washington.

At length conviction came, though slow, yet full. To mention the instances in which you broke faith with the public and with individuals, would be to write the history of your three campaigns, with all the attiraits of proclamations and protections. But it would be for the honour of human nature to bury this history in oblivion. It is sufficient for the present to observe, that we became fully convinced you were no longer to be trusted.

Honest men, after they have been defrauded, acquire that wholesome suspicion which others inherit. The only difference indeed is, that the former reason from facts, the latter from feelings. Of consequence mutual diffidence took place to the greatest degree; and it is perhaps as laughable a circumstance as any of the others that you made at this time, and under such auspices your conciliatory propositions, which of all things required the greatest confidence. But to return.

It was predicted by every discerning man, that the troops of the convention would be used against us the instant they were out of our power. Your former conduct justified the inference, and considering the many infractions you made in it from the very commencement of the treaty, Congress had good right to have declared the stipulations on their part void. Principles, however, of national honour induced the determination of that Body strictly to comply with the convention. Luckily for America General Burgoyne, by declaring in a letter to Congress that they had broken it, gave an additional ground, known and acknowledged among nations, for suspending it until a ratification from the court of Great-Britain. It is observable, that even then the suspension was carried by a very small majority, although every Member present was convinced you did not mean to pay the least regard to it. They reasoned (but with what force it becomes not me to determine) that it was better to convince the world by one more experiment of your want of integrity. Luckily however, they were overruled; and you have daily given additional proofs of the wisdom of that cautionary measure.

On the requisition by yourself and others, Commissioners, &c. dated at New-York, the 26th August,² the following doubts arise:

1st. Why was it not made sooner, since clearly the Commissioners had as much power to ratify it before, and their King was as much in need of his troops.

2d. By what authority did the Commissioners intermeddle in a business by no means in contemplation at the time of their appointment, and (as will be shewn hereafter) clearly out of their power,

especially when you the proper person was on the spot, and only made one of them.

I am informed that the solution given in Congress at the time was, that the Commissioners had received a ratification of the convention, together with orders to make an application of that kind, with a view to two objects:

1st. If possible to obtain the prisoners, and then declare the convention void by reason of the suspension, and of their want of authority.

2d. At least to lead Congress into some kind of treaty or correspondence with them on the subject, and thereby indirectly into an acknowledgment of an authority in the Commissioners to treat with us as subjects of Great-Britain.

This is confirmed substantially by your letter; for it cannot be supposed that your Ministers have less pride or wisdom than heretofore. If therefore their Commissioners had been possessed of sufficient authority, they would hardly have sent you that express and recent authority you mention to have received since the date of their requisition. It is worthy of observation that this date is the 26th of August, and Your authority the twelfth of June, between which is an interval of eleven weeks. It is evident that Your Ministers in the critical situation of their country, would give this paper every possible dispatch. Six weeks or seven, at farthest, were sufficient to transmit it from Whitehall to New-York. Hence it is evident, not only that you had received that paper before the date of the requisition, but also that it was on that ground the requisition was made.³

What right had the Commissioners to interfere in it? They were appointed for the single purpose of persuading us to become subjects to the King, being a kind of missionaries to propagate monarchy in foreign parts,⁴ and what connection this has with a military convention, no man can discover. They had no authority to speak to Congress on national grounds. They were not Ambassadors, Ministers Plenipotentiary, nor any thing of that kind. They were not appointed by letters of credence but by commission under the great seal, not from the mere motive of the Prince, but by Act of Parliament. In short, the whole mission was on domestick principles; when therefore the people of America refused to become subjects to the King of England, their authority, if any they had, ceased, nor could they possibly have had authority to the purpose they pretended. It was given them neither by their commission, nor by the act on which that commission was grounded, nor could it possibly have been in contemplation when that act was passed; and your letter shews demonstratively, not only that they had not any such authority, but that your King and his Ministers did not think they had.

But what kind of authority is your's? Why it seems you have sent a

paper, purporting to be the extract of a letter from Lord George Germaine, and that is a true extract, we have the word of one Smith, your secretary. And what is this extract? Why it seems it is a signification of your Monarch's pleasure? And what is it that will please him? Why that you give assurances, &c. All this appears from the paper. But why will it please him? Because he would get some troops without being under the necessity of keeping the convention. For does it follow, that because he desires you to give assurances, that therefore he gives assurances? Does it follow, because your secretary hath signed a piece of paper as an extract, &c. that therefore it is an extract? I believe it is, but I also believe that your court would deny it if they could get any thing by it. Does it follow, if this is a true *extract*, that the whole letter taken together is not of a different complexion? Does it follow, that it is the King's pleasure you should do so because Lord George Germaine says it is? In a word, will any assurances given by you under such flimsy authority, amount to that explicit ratification which was demanded by Congress? A demand then justified by the conduct of General Burgoyne, and which the chicane used since, hath rendered it absolutely necessary to [insist] on.

The position then, Sir Harry, is clear, that when Carlisle, Eden and Clinton made their remonstrance and requisition, and when you made your demand, neither they or you had given or could give that satisfaction for keeping the convention which Congress had a right to demand: Of consequence you could not expect the troops would be suffered to depart from our shores. This being the case, let us consider the requisition. I say what did you and your brethren mean by your eulogy upon the faith of cartels, military capitulations, conventions and treaties which you have sported with so often? What did you mean by calling on us by the sacred obligations of humanity and justice, to do what, confident with a regard to either, or even to our own safety you knew was impossible? What did you mean by a threat of retaliation, you who have exhausted the mores of military barbarity? What were you to retaliate? A weakness almost amounting to pusillanimity in declining to avenge the injuries you have done? Do you think it possible to affright us by an idea that you will pay no regard to cartels or capitulations? You never yet have done it: Those who surrender to you know they are exposed to the sword or to languish in confinement.

You have dared to say, "all breach of faith, even with an enemy, and all attempts to elude the force of military conventions, or to defeat their salutary purposes by evasion or chicane, are justly held in detestation, and deemed unworthy of any description of persons assuming the characters or stating themselves as the Representatives of nations," and yet at that moment you are employed in the very

attempt by evasion and chicane to elude the convention of Saratoga. You had surmounted, possibly after many compunctious struggles, at least for the honour of human nature I hope so, but you had surmounted every sense of justice, of humanity, and of honour. Let me congratulate you on this new victory over the sense of shame. In this view you have gained at length the victory over yourselves, and may stand forth the first of philosophers in your kind, you may boast to be leaders of those, who cloathed with the dignity of national character, display the story of their own disgrace.

It is to be lamented, that on an occasion so solemn, and of such serious consequences to your reputations, we cannot derive an idea of your wisdom, equal to that which your fortitude hath impressed. It would have been glorious indeed, could you have shewn a capacity to deceive all mankind with the same facility that you set their opinions at defiance. But unfortunately this is not the case, for you have taken upon you to remonstrate against the *unjust detention* of the Saratoga troops. Did you consider the force of the term? If the detention is unjust, the convention is broken, if we have broken the convention you are no longer bound by it, if no longer bound in equity, a ratification extorted by the *unjust* detention will be void. To have released them therefore on this requisition, other objectionable circumstances being removed, would by implication have admitted you a ground whereon to build a release from your engagements; wherefore the requisition taking it conjunctively with the remonstrance contained in it, as it shews the mind an opinion which you possess so presumptively it demonstrates the conduct you mean to hold, and therefore compels Congress to a greater caution and circumspection, being in fact a supplement to that letter of General Burgoyne which I mentioned before.

We come now to your letter of the nineteenth of September. One word more as to chronology. Your offer it seems is not only by express but *recent* authority, &c. If this epithet means any thing, we are to conclude that the authority was then just received. Indeed you take pains to induce that belief. But the extract you send us is dated the 12th of June, that is more than three months prior to your letter. Did you imagine the Congress had such implicit faith in your dictums, as to believe you had but just received that letter? The imposition is too glaring to pass on men of much less sagacity. What could have put it in your head that it is *unprecedented* to take no notice of demands by those who have no right to make them? The Lord Chief Justice of England is an officer at least as well known in the constitution of your kingdom as these new-fangled Commissioners. Suppose the Earl of Mansfield had written a letter to Congress demanding the convention troops, do you think a neglect of this demand would have been quite *unprecedented*? And yet he had full

as good right to make the demand as those Commissioners; else why the express and recent authority to you? You will not surely pretend that it was sent in consequence of the neglect you complain of, for there again chronology is against you.

But let us examine this express authority. I take it such authority can be derived but two ways respecting those to whom it relates: These are dependent on the points either of sovereignty or subjection.

First then as to the sovereignty. Conceding that America is an independent power, then clearly your authority ought to be *expressed* in a letter of credence to Congress, which it is not.

Secondly, as to the subjection. If, as you say we are subjects, then on general principles you are not bound to keep faith with rebels. But further, your laws have expressly determined this matter by a case in point, shewing that capitulations and conventions with rebels are merely void, so that the least which could be expected is an act of Parliament. But

Thirdly, on the ground both of sovereignty and of subjection, leaving that great point *in dubio*, the authority should have been derived under the great seal and sign manual.

In lieu of all this you send an extract of a letter from a Secretary of State, which neither with foreign nations, nor even with your own subjects is worth a pinch of snuff; and thus you have thought proper to dubb with the sounding title of an express and recent authority from the King.

In order however to piece out the deficiencies of your ratification, you have insinuated a threat of certain consequences which are to follow from withholding a compliance with your demands. You are really a most diverting correspondent. What in the name of common sense can you mean by this and by your former menace of retaliation? Is it that if ever we are so weak as to make any agreement with you, you will break it? We always expected as much, we have told you so repeatedly, and this is one of the capital reasons why we reprobate all connection with you. Is it that you will to the utmost of your power lay waste our country? You have done this already, not excepting the territory of those poor creatures who had a confidence in your promises and an affection for your cause. Is it that you will burn our habitations? You made no small figure in that kind of business before the convention was made. Is it that you will murder prisoners in cold blood? Why even that practice, bad as it is, you are by no means unaccustomed to. This part of your letter reminds me of a speech which one of your excellent poets hath put in the mouth of a mad King. He too takes upon him to threaten those whom he cannot injure, and exclaims, "I will do such things! What they are yet I know not." ⁵

To conclude, Sir Harry, though you are my enemy, I will express

to you a wish, prompted by philanthropy; it is this, that the things you have done, and the things you have meditated to do, may not totally reduce you to the situation of that unhappy creature.

I am, with the greatest respect, Sir, your most obedient and humble servant,
AN AMERICAN.⁶

MS not found; reprinted from the *Pennsylvania Packet; or the General Advertiser*, October 20, 1778.

¹ Sir Henry Clinton's September 19, 1778, letter to Congress demanded the release of the Convention Army. With it Clinton enclosed an extract of a June 12, 1778, letter from Lord George Germain authorizing him to give assurances that these troops would be returned to England under the terms of the agreement concluded between Gens. Horatio Gates and John Burgoyne in October 1777 and since suspended by Congress. Both the letter and the extract are in Meng, *Gérard Despatches*, pp. 331-32. The full text of Germain's letter is in Davies, *Documents of the American Revolution*, 15:139.

Congress read these documents on September 28 and instructed Secretary Thomson to return a terse reply, which he did as follows: "Your letter of the 19th was laid before Congress and I am directed to inform you that the Congress of the United States of America make no answer to insolent letters." *JCC*, 12:964. At the same time Congress also made plans to collect evidence of British violations of the Saratoga Convention, although apparently nothing ever came of this effort. *JCC*, 12:964. For a discussion of Congress' January 8, 1778, decision to suspend this agreement, see these *Letters*, 8:486-87.

² For a discussion of this "requisition," see Henry Laurens to Washington, August 29, 1778, note 2.

³ Morris' surmise was correct. Clinton had received Germain's June 12 letter on August 18, 1778. Davies, *Documents of the American Revolution*, 15:200.

⁴ A sardonic allusion to the Society for the Propagation of the Gospel in Foreign Parts, which had been active in America since its founding in 1701.

⁵ Morris is quoting King Lear, Act 2, scene 4, where the king rages against his daughters: "No, you unnatural hags, I will have such revenges on you both, That all the world shall—I will do such things—What they are, yet I know not; but they shall be The terrors of the earth."

⁶ For a discussion of the newspaper letters Morris wrote to the British peace commissioners using this pseudonym, see Morris to the Carlisle Commissioners, June 20, 1778, note 1.

Gouverneur Morris to Robert Morris

Dr Morris ¹

Philadelphia 20th Octr. 1778.

I can by no Means neglect the fair Opportunity offered me by Doctor Witherspoon and therefore I write in a Hurry without recurring to yours which is not on me. If I am not accurate do not accuse. As to Personalities I am fully of Opinion with you that I speak too often and too long of which the Bearer of this Letter will give you I doubt not many Instances. To my Sorrow I add that I am by no Means improved in my public Speaking. I have no Doubt that the Instance you allude to is exceptionable and the Party by his own

Wrong deprived of the Benefit of that Protection which altho given by the Law that is the Consent of Nations does by no Means suspend the Laws of civil Society so far as to excuse a Breach of those Laws. But I am not a Civilian. That I am not a punctual Correspondent must be attributed to Distractions arising from an Attention to Business of so many different Kinds that your poor Friend hath but little in him of the gay Lothario. But you must believe, at least I entreat it, that my Heart holds you dear nor shall any Objects exclude you from the Place in it which you have acquired a double Title to by Right and by long Possession. The American is mine or I am the American which you please.² Both it and the Writer have Faults, Alas a great Many. I would that I could See some Person before every Publication. And that they also might be pressed nine years. But they will be forgotten in less than as many Days. I am disposed to meet you considerationally on your own Ground of which the Doctor will certify you but I am only an Individual. I can no longer tresspass on his Patience. Adieu, Believe me most warmly, your Friend,

Gouvr Morris

RC (NjR: Robert Morris Papers).

¹ Robert Morris, the "natural" cousin of Gouverneur Morris, is identified in these *Letters*, 9:424.

² For further information on Morris' authorship of the four pseudonymous newspaper letters to the Carlisle commission by "An American," see Gouverneur Morris to the Carlisle Commissioners, June 20, 1778.

Roger Sherman to Benjamin Trumbull

Dear Sir ¹

Philadelphia 20th Octr. 1778

I received Yours of the 5th Instant by the Post. It would have been very Agreeable to me to have had an interview with you when at New Haven but my Stay there was So Short that I could not wait on you at your House. The affair of our Finances is in a difficult Situation, one Committee has made report on the Subject to which Several amendments were proposed, and the whole is recommitted, the last Committee have not reported, and what will be Ultimately concluded on is uncertain ²—it is generally Agreed that a time not exceeding twenty years Should be fixed for the redemption of the whole by annual taxes, tis thought by Some that the taxes Should be highest at first and decrease as the money appreciates. Others think they Should be equal as the ability of the Country to pay will increase by means of the increase of Numbers and wealth as fast as the Bills will appreciate. How to lessen the quantity in circulation while the war continues is the greatest difficulty, it has been proposed to Stop

the currency of so many emissions as we wish to sink and give notes on Interest for them as our State did their Bills. Others think this would be a dangerous experiment. Some think Sufficient loans might be voluntarily obtained if the lenders were Assured that they Should be paid an equivalent in value, & that the Bills brought in Should be burnt. Some think that it would be difficult to ascertain the comparative value at the time of lending and time of payment. If we had a foreign loan of 4 or 5 million pounds Sterling in Europe on which to draw Bills we might Sell them at the current Exchange & in that way draw in & sink the currency at the rate it has been issued out: but in our present Situation it is uncertain whether Such a loan can be procured as the Security to the lenders would depend on our Supporting our Independency. It would be easy to obtain any Sums we might want if Peace was settled with Great Britain and the independency of the States acknowledged by the British Government. Till then I think we must rely on our own resources. And if we can provide Such Sinking funds by taxes as will prevent further depreciation, & procure a Gradual appreciation it is as much as we can expect at present—that proper measures ought to be adopted without further delay I fully agree with you, As to the mode of doing justice to Creditors I hope the States will be able [to] devise some way consistent with the general good; there are many persons who are good Friends to our cause who have Suffered & do Still Suffer greatly & Some Orphans; some who have rented houses & other real Estates for Years are reduced to great Straits by the depreciation, and ought to be relieved in Some way or other. Certainly debtors can pay an equivalent in value as easy as tho' the money had not depreciated. I have now nothing to lose in that way but wish that none may have cause to complain of the want of public justice. We have no news here.

I am with due regards to Your Self & family, Your humble Servant,
Roger Sherman ³

RC (DNDAR).

¹ Benjamin Trumbull (1735–1820), a Congregational minister in New Haven, Conn., and a cousin of Gov. Jonathan Trumbull, was an outspoken advocate of the American cause and the claims of the Susquehannah Company. Trumbull became a historian of Connecticut. *DAB*.

² For further information on Sherman's work as a member of these committees on financial affairs, see Sherman to Jonathan Trumbull, Sr., October 27, 1778, note.

³ Sherman apparently wrote another letter to Trumbull during the autumn of 1778, but its date can only be conjectured. It was printed by Sherman's biographer Lewis H. Boutell with the dateline "Philadelphia, August 18, 1778," but since Sherman was not in Philadelphia at that time and Congress did not (as suggested in the letter) debate finances on that day, it is clear that the date is in error. Sherman may have written it on November 18, one of the dates financial reform is known to have been under consideration in Congress, but no evidence for this surmise has been found. Because it is somewhat briefer than his October 20 letter,

it may well have been written before the latter. Boutell's text is reprinted here simply because the two documents reflect parallel concerns.

"The affair of our currency is to be considered in Congress today. What will be done to restore and support its credit is uncertain. We can't lessen the quantity much while the army is kept up. I trust the fullest assurance ought and will be given for redeeming it in due time and for exchanging gold and silver for what shall be out standing at the period fixed for its redemption at the expressed value. The whole that has been emitted is a little more than 60,000,000 dollars. I think a period of about 14 or 15 years should be fixed for sinking the whole. That taxes for about 6 million dollars per annum for 4 years, 5 million dollars for five years and four million dollars per annum for the residue of the period should be immediately laid to be collected as a sinking fund with liberty for each State to raise more than their annual quota and be allowed 6 per cent interest for the time they may anticipate the payment. That each of the States that have not called in their Bills do it immediately and refrain from further emissions and tax themselves for current expenses. Besides liberty may be given for the people to bring in as many of the Bills as they please into loan offices, with assurance that the whole that is brought in shall be burnt. That all unnecessary expenses be retrenched and the best economy introduced. That the future expense of the war be defrayed as far as may be by taxes and the residue by emissions—and if the war ceases this year, which I think not improbable, our finances may soon be put on a good footing. Provision ought to be made in the meantime by each State to prevent injustice to creditors and salary men." Lewis Henry Boutell, *Life of Roger Sherman* (Chicago: A.C. McClurg and Co., 1896), pp. 106–7.

John Henry to Thomas Johnson

Dear Sir

In Congress Oct. the 21st. 1778.

I have this moment received from the president of Congress, the inclosed Copy of a Confession of a pilot on board the Flag Ship that was cast away on the Jersey Shore.¹

I gave you yesterday the best intelligence we have respecting the motions of the Enemy. I believe we may rest assured that Boston is the object of their destination.

I shall continue to give you the earliest account we have.

I am Sir with great respect your most obedt. and hble. Servt.

J. Henry

RC (MdAA: Red Books).

¹ This "Confession" of Abraham Whiltbank, who reported that when he left New York on October 8 several hundred loyalist refugees there were "associating" for a descent on Delaware or Maryland, is in *Md. Archives*, 21:220–21. In response to Henry's warning, the Maryland Council enclosed copies of it with a circular letter of October 25, 1778, which was sent with an appropriate warning to the lieutenants of the Maryland counties on the Eastern Shore. *Ibid.*, p. 224.

Henry's enclosure is actually an extract of the document President Laurens had received, a copy of which, bearing the following endorsement in Laurens' hand, is in the Laurens Papers, no. 18, ScHi.

"Abram Wilbanks' information respecting the proceedings of the Enemy at New York. 20th October 1778.

"A. Wilbanks formerly a Pilot on the Delaware, is one of the persons lately on board a small Vessel wrecked on the Eastern Shore of New Jersey, said to have borne a flag of Truce & intended with dispatches from the British Commissioners for Congress.

"Lt. Hele of the Preston, Commr.

"Mr. Sanders, a Midshipman on board the Preston.

"11 Seamen of the Preston.

"This Pilot.

"A woman—in all 15.

"Two Men were drowned, the rest escaped with Life & no more.

"The dispatches lost—the Survivors, the Woman excepted, confined as Prisoners of War."

Henry Laurens to the King of France

Great, faithful and beloved Friend and Ally [October 21, 1778]

The Marquis de la Fayette having obtained our leave to return to his Native Country, we could not suffer him to depart without testifying our deep sense of his Zeal, Courage and attachment.

We have advanced him to the rank of Major General in our Armies, which, as well by his prudent as spirited conduct he hath manifestly merited.

We recommend this young Nobleman to Your Majesty's notice, as one whom we know to be Wise in Council, gallant in the Field and patient under the Hardships of War. His Devotion to his Sovereign hath led him in all things to demean himself as an American, acquiring thereby the confidence of these United States, Your Majesty's good and faithful Friends and Allies, and the Affection of their Citizens.¹

We pray God to keep Your Majesty in his holy Protection.

Done at Philadelphia the twenty first day of October 1778.

By the Congress of the United States of North America your good
Friends & Allies, Henry Laurens, President

Attest, Chas Thomson secy.

RC (Archives du ministère des affaires étrangères: Correspondance politique, États-Unis, vol. 5). In the hand of Moses Young, signed by Henry Laurens, and attested by Charles Thomson.

¹ See JCC, 12:1034-35. This day Congress also directed another letter to the French king. The text of this letter, which announced the appointment of Benjamin Franklin as minister plenipotentiary to the French court, and was drafted by Gouverneur Morris, is in JCC, 12:1035-36.

Richard Henry Lee to Patrick Henry

My dear Sir:

Philadelphia 21st Oct 1778.

This will be delivered you by Major General Lincoln, a brave and able Officer, who goes to command the Troops that are to oppose any attempt of the enemy upon Charles Town in South Carolina. As the General can give you the news of this place I should not have troubled you with this letter, were it not for the following purpose. It was proposed to send 50,000 dollars to the paymaster in Virginia for the purpose of forwarding the thousand men designed to assist South Carolina—Whereupon I reminded the Congress of a motion long since laid upon their table, in consequence of letters from yourself & Mr. Page informing that arrears were due to the continental soldiers in Virginia & the militia that had been called into continental service¹—And I proposed making the 50, an hundred thousand dollars, and to word the resolve for the purposes “of paying the arrears due to the continental soldiers in Virginia, and to the militia of that state which had been the last year in continental service,” as well as for forwarding the thousand men to S. Carolina. This was readily agreed to, and the money (100,000 dollars) is ordered forward.² Now Sir, I presume that Gen. Lincoln will, on your application, and showing him the resolve, take measures, by ordering the payment himself if the accounts of arrear are ready, and if not, by authorizing you to call on the paymaster for the money when these accounts are prepared. I beg leave to refer you to the General for our news being in great haste. I subscribe myself with much esteem and affection yours,

Richard Henry Lee.

P.S. Since I wrote the letter on the other side, I find upon conversation with Gen. Lincoln that if the pay rolls of the militia should not happen to be ready when he passed through Williamsburgh, that it would not be in his power to order payment, as he could not delegate his authority—Therefore, I proposed the inclosed resolve which I hope will remove all difficulty.³ Farewell,

R. H. Lee.

MS not found; reprinted from Henry, *Patrick Henry*, 3:196–97.

¹ Governor Henry's May 23 letter to the Virginia delegates requesting their assistance in obtaining a settlement of the state's Continental accounts had been read in Congress on June 15, but at that time Congress ordered “That the consideration thereof be postponed.” See *JCC*, 11:606–7; and *PCC*, item 71, 1:143–47.

² For this October 20 resolve, see *JCC*, 12:1026.

³ Congress had just authorized Benjamin Harrison, Jr., deputy paymaster in Virginia, to honor warrants drawn on Henry as soon as militia officers could submit authenticated records of service. As this resolve was adopted on October 22, Lee doubtless added this postscript on that date. *JCC*, 12:1038–39.

Henry Marchant to the Rhode Island Assembly

Gentlemen,

Philadelphia Octr. 21st. 1778.

In Consequence of a Letter of the 11th of June from the Councill of War, the same was laid before Congress and a Committee appointed upon it. But notwithstanding my utmost Exertions to get a Report as soon as possible, that Committee never did any Thing upon it, one Member of it left Congress, and I at Length got a New Committee, and thro' perseverance I have procured a Report and Resolution of Congress, which I herewith enclose Your Honors¹. It is such as I apprehend will afford entire Satisfaction; especially when it is considered that the furnishing of Cloathing to the officers of the State Troops upon the same Principle as the Cloathing furnished the Officers of the Continental Troops is approved of by Congress. I felt myself not a little happy that I was able to establish that Point; And I cannot but reflect with some Degree of Satisfaction, that I have never failed in obtaining every Request which I have ever had the Honor to make of Congress in Behalf of the State I represent; and in some Instances I flatter myself I have anticipated their Wishes. This Observation does not arise from Vanity, but from that heart felt Pleasure I take in the Discharge of my Duty to a State who have conferrd upon me repeated Honors, and given to me the strongest Testimonials of Their Confidence—of all which no One hath a more grateful Sense, nor shall strive more ardently to evince it, than your Honors, most obedient and very humble Servt. Hy Marchant

RC (R-Ar: Letters to Governors). Addressed: "The Honble the Genl Assembly State of Rhode Island &c."

¹ For Congress' October 13 resolution approving "the advance of clothing" made by Rhode Island's "agent clothier" John Reynolds, pursuant to a request from the state of June 10, 1778, see *JCC*, 12:1006-7. See also Rhode Island Delegates to William Greene, June 27, 1778, note 5.

Henry Laurens to John Beatty

Sir

22nd October [1778]

I have had the honor of receiving and presenting to Congress your favor of the 19th in which came inclosed a letter from Mr. Loring.¹

Congress immediately took under their consideration the Contents of these letters and formed the inclosed Resolution of the 21st expressing their disapprobation of partial and Parole Exchanges of Officers, by which you will be pleased to govern your future proceedings in that branch.

You will find Mr. Loring's Letter within this cover.

I have the honor to be &c.

P.S. An open Letter from Mr. Girard to Monsr. de Boubée at New York will accompany this—please to give it safe conveyance.²

LB (DNA: PCC, item 13).

¹ See JCC, 12:1033. Beatty's October 19 letter enclosing a proposal from British commissary of prisoners Joshua Loring for securing the parole of two Convention Army officers—Capt. Digby Strangways and Lt. Col. Alexander Lindsay, sixth earl of Balcarres—is in PCC, item 78, 3:201–4. For a partial explanation of why Congress immediately rejected this application, see Laurens' October 29 letters to Horatio Gates and to the Massachusetts Council.

² Gérard's correspondent was apparently the Ensign de Boubée of *Le Protecteur* of d'Estaing's fleet, who was negotiating the exchange of French prisoners at New York. See France, Ministère des affaires étrangères, *Les Combattants français de la guerre américaine, 1778-1783* (1905; reprint ed., Baltimore: Genealogical Publishing Co., 1969), p. 42; and Lafayette, *Papiers* (Idzerda), 2:358n.4.

Henry Laurens to George Washington

Sir

22nd October [1778]

Since my last Letter of the 16th by Brown, I have had the honor of presenting to Congress Your Excellency's favor of the 14th Instant.¹

Within the present Cover Your Excellency will receive three Acts of Congress of the 21st Instant.

1. for granting Monsr. de Vrigny such testimonial of his zeal and services as he is entitled to.²
2. for obtaining a Return of re-inlistments in the Army in pursuance of an Act of the 31st August last.³
3. for obtaining from Sir Henry Clinton a nomination of a proper Person for the Office of Commissary to the British Prisoners in the place of David Franks Esquire confined for a misdemeanor.⁴

To these I add a Paper containing information received from Abraham Whiltbanks lately from New York. I think he said he left that City this day fortnight—his intelligence if true may not now be further important than to throw light upon other discoveries from that quarter which Your Excellency may have made.⁵

I have the honor to be &c.⁶

LB (DNA: PCC, item 13).

¹ Washington's October 14 letter to Laurens is in PCC, item 152, 6:399–402; and Washington, *Writings* (Fitzpatrick), 13:74–75.

² For the resignation of Louis Cloquet de Vrigny, whose original request for a Continental commission had been rejected in September 1777, but who had remained in America as a volunteer and had subsequently been appointed a lieutenant colonel in February 1778 at Lafayette's request, see JCC, 8:743–44, 10:107, 12:1033–34, 1059, 1061, 1071; PCC, item 78, 23:145–52; and these *Letters*, 7:392n.2.

³ Laurens erred in asserting that this resolve was adopted "in pursuance of an Act of the 31st August last." The "Act" in question was one of September 8. See JCC, 12:1034.

⁴ Washington was directed to ask Sir Henry Clinton to name a new commissary of British prisoners because David Franks had "abused the confidence reposed in him by Congress" in attempting to transmit "by stealth" a letter manifesting "intentions inimical to the safety and liberties of the United States." *JCC*, 12:1026, 1032-33. Although Frank's arrest was also ordered at this time, he immediately protested that his letter "was never intended to the Injury of America," and within two weeks obtained an order of Congress directing his release. See *JCC*, 12:1070, 1076, 1110-11; and *PCC*, item 78, 9:189-91, 197.

⁵ For this report that the enemy might be planning an attack on Delaware and the Maryland Eastern Shore, see John Henry to Thomas Johnson, October 21, 1778, note.

⁶ This day Laurens also wrote a brief note to William Heath acknowledging receipt of the general's September 12 letter to Congress, which is in *PCC*, item 157, fol. 200. See *PCC*, item 13, 2:126.

James Lovell to John Hancock

Sir

Octr. 22d. 1778

I some time ago recd. the inclosed Account from Mr. Armor who was in the Quarter Master Line at York, but presented it as friendly Agent for the Mr. Sheck who makes the Demand. I did not chuse to pay the Bill without your Approbation & I expected you here soon therefore did not forward it earlier. You will please to direct me about the Payment, or reserve the matter to yourself, as may be most agreeable to you. The Honble Mr. Mathews mentioned his having paid 15 Dollars for you as your Shot on some Occasion either at Mrs. House's or elsewhere; which, I do not, now, recollect. I threw the money down to him instantly in Congress, but he said he would not take it of me, unless it should so happen that you do not return till he is going home. In every Thing of this kind I shall aim to do you instant Credit.

Sir, I cannot think the Enemy mean seriously to attack Boston.¹ But, so many are against me that I should not be just to my dear Polly if I did not desire your Counsel & Aid to her in Case of an Event contrary to my Opinion. I see nothing but total ruin in her Removal, therefore I would have her tarry to the latest Extremity. She may easily seal up and convey away any Papers of mine that are of the least Use to me or would do her Injury if within the Power of the Enemy together with her Person. I do not think Gr. Britain can risque such an Expedition: and I do not think that her Officers here in America would dare undertake it without her express Order. I believe the Talk of it is to delude the unhappy Infamous at N.Yk who are to be deserted to our Will and Pleasure.

Your obliged humb Servt.

James Lovell

[P.S.] I hope I have quite escaped from a severely threatned nervous

Fever. I propose being [abro]ad again Today tho I found [. . .]² yesterday.³

RC (MB: Chamberlain Collection).

¹ The French fleet at Boston was the target of Adm. John Byron's British fleet, which left New York on October 19 and reached Boston on November 1. The next day a storm scattered the British and in the confusion the comte d'Estaing's fleet slipped away for the West Indies. On November 3 the British troop transports sailed from New York for the West Indies, sailing undetected on a parallel course with the French battle fleet. William B. Willcox, *Portrait of a General: Sir Henry Clinton in the War of Independence* (New York: Alfred A. Knopf, 1962), pp. 252-55.

² RC damaged; three or four words missing.

³ On the evening of October 22, Lovell also wrote the following brief letter to Hancock, which is in the Emmet Collection, NN.

"Mr. Jones having behaved very ill to me by a gross Breach of his Promise, I know not how this will be conveyed to you: It must appear strange that he did not convey a Line from the Delegates when there is so much Talk of an Expedition to Boston. His Falsehood was the Cause. I believe the Men of War (16 of the Line) who have sailed with about 10,000 Men in Transports, will only convoy the latter to some West India Course, and return to watch Count D Estaing. The English Ships are miserably manned you may be assured."

John Penn to Richard Caswell

Dear Sir

Phila. Octobr. 22. 1778

General Lincoln is now on his way to Charles Town, to take the Command of the Troops in the Southern Department, he is greatly esteemed both as a Soldier and a Gentleman by all that know him. I Beg therefore to introduce him to your Excellency's particular notice and attention. The General Wishes to consult you, relative to the defense of Charles Town, as he is informed that great part of the force necessary for that purpose must go from No. Carolina. I must also take the liberty to refer you to the General for intelligence relating to Military operations.

We have received no late information of what is doing in Europe to be depended on. It is said the King of Prussia has obtained a victory over the Emperor. France and England are deeply engaged. I mentioned to your Excellency sometime ago in a letter of the high opinion entertained of you by Congress,¹ and of course the wish of many Gentn. that you should take the Command of what Troops march from our State. Should you Take upon you that Duty you are to have the rank and pay of a Major General which is superior to any officer that will be there except Major General Lincoln,² however in this Your Excellency will act, as your good Sense and prudence shall direct. I have the Honor to be with due Respect, Your very obt. Servt.

John Penn

RC (PHi: Gratz Collection). Addressed: "His Excellency Richard Caswell Esqr., Governor and Commandr. of North Carolina. Favoured by the Honorable Major Genl. Lincoln."

¹ Penn may be referring to the North Carolina delegates' September 29, 1778, letter to Governor Caswell.

² See JCC, 12:950.

Henry Laurens to William Alexander

My Lord

Philadelphia, 23d October 1778.

I had the honor of writing to you the 18th Inst. & since of presenting to Congress Your Lordship's Letter of the 17th. Last Night I received another of the 20th subjoined to Copy of one of the 19th to General Washington.¹ These shall be laid before Congress at their meeting the present Morning. Continued intelligence of the Enemy's movements will be received with pleasure by the House.

I have the honor to be, With very great Respect, & Regard, Sir,
Your Lordship's Most obedient & most humble servant,

Henry Laurens, President of Congress.

RC (NH: Miscellaneous MSS, Laurens).

¹ JCC, 12:1023, 1056. Alexander's October 17 and 20 letters to Laurens are in PCC, item 162, fols. 531-38.

Henry Laurens to Peter Colt

Sir

23 October 1778

I had the honor of writing to you the 12th Instant by Dodd.

Within the present inclosure you will receive an Act of Congress of the 20th Instant for granting you for the purposes set forth in your Letter of the 25th Ulto. One hundred and ninety thousand Dollars.¹ You will also find inclosed the three Warrants for that sum particularized in the Act and at foot hereof.

I have the honor to be &c.

A Warrant on Nathl. Appleton Esqr.

Commissioner of the Loan Office Boston

70,000

One on John Lawrence Esqr. Treasurer
of the State of Connecticut, for

100,000

Another on John Laurence Esqr.

Commissioner of the Loan Office of Connect.

20,000

190,000

LB (DNA: PCC, item 13).

¹ See Laurens' October 12 letter to Colt and JCC, 12:1030-31.

Henry Laurens to Horatio Gates

Sir.

Philadelphia 23d October 1778

Within the present Cover you will receive an Act of Congress of the 22d Ordering you to the Command of the Confederal forces in the Eastern district, to which I beg leave to refer.¹ Go where you will I intreat you Sir be assured of the Respect, Esteem & good wishes of Your most obedient & Most humble servant,

Henry Laurens, President of Congress.

RC (NHi: Gates Papers). Addressed: "The Honorable Major General Gates, Hartford."

¹ For this resolve, which directed Washington "to order Major General Gates forthwith to repair to Boston to take command of the Continental forces . . . in the eastern district," see *JCC*, 12:1038.

Henry Laurens to John Lewis Gervais

Sir

23d October [1778]

I have the honor of transmitting within the present inclosure an Act of Congress of the 20th Inst. for appointing you Deputy Paymaster General in the State of South Carolina and for depositing in your hands for public services one Million Dollars.¹

From the Recommendation of the Delegates of South Carolina, Congress places the highest confidence in you, for the right discharge of the duties of your Office in all respects, I have therefore only to enjoin, in particular, frequent transmissions of Accounts, and Vouchers of expenditures.

I have the honor to be &c.

LB (DNA: PCC, item 13). Endorsed: "by General Lincoln."

¹ *JCC*, 12:1027.

Henry Laurens to George Washington

Sir

23d October [1778]

I had the honor of addressing Your Excellency Yesterday by Jones, and also of receiving and presenting to Congress Your Excellency's favor of the 18th with the Refugee Petition to the British Commissioners.¹ This, I understand will appear in print tomorrow, and be prefaced by a private hand.² Congress heard it read and paid no other attention to it.

Inclosed in this Your Excellency will receive an Act of Congress of

the 22nd ordering Major General Gates to the Command of the forces in the Eastern District.

I have the honor to be &c.

LB (DNA: PCC, item 13).

¹ Washington's October 18 letter is in PCC, item 152, 6:407-8, and Washington, *Writings* (Fitzpatrick), 13:104-5.

² Washington had enclosed the "Refugee Petition to the British Commissioners," which he had "taken from a New York paper," because it implied a "suspicion" that New York was to be evacuated. It was printed in the October 24 issue of John Dunlap's *Pennsylvania Packet*, "prefaced by a private hand" as Laurens predicted. The author of the preface is not known. Since Laurens' colleague William Henry Drayton had been supplying Dunlap material for publication since June, including a letter dated October 24 that Dunlap printed on the 29th, Laurens may have learned from Drayton that the "Refugee Petition" was to be printed, but whether the preface to it was his colleague's work cannot now be determined. It is quite possible, nevertheless, that it was written by one of the delegates, from whom he had learned of its forthcoming appearance. Bearing only the heading "For the Pennsylvania Packet," the preface reads as follows.

"There is an old maxim I have somewhere met with, that Providence makes those men crazy whom he wills to ruin. The history of the world abounds with instances of this kind. The conduct of Great-Britain, since the close of the last war, evinces it: And it is not a little extraordinary that the deeper they have been plunged in misery, the more unwisely have they acted. Misfortune, instead of producing reflection and prudence, as in cases where they are sent to chasten an abandoned generation, have operated to encrease their insanity. From hence it is but natural and just to conclude, that having run the race of empire; having rapidly passed through barbarism, freedom, science, commerce, politeness, wealth and glory, they are doomed to destruction. What particularly calls forth these reflections at present, is an instance of the most remarkable kind that I have yet met with. Those unhappy men who have taken the guilty part of despotism against their country as their conduct, on whatever principles it may be founded, is certainly the most unjustifiable, so they appear to have been visited by the most violent paroxisms of distraction. Their measures, from the beginning, have been strongly marked by folly. They have not only laboured to subdue the unconquerable spirit of freedom, but they have used the most improbable means. In proportion as this attempt appeared more difficult, and success more remote to every other, their hopes have been more sanguine. Their conduct hath corresponded to their imaginations; and without even the foresight of animals, they have run into, instead of running out of, the falling edifice. At length their eyes are opened on the ruin before them; but their minds are incapable of adopting the only means of safety. The penalty here, as in other cases, is equal to the guilt. Without the poor consolation, which delusion might afford, they run on to all the horrors of their fate, goaded by the furies. But I will no longer delay the attention of the reader to their petition: A petition praying to be protected in the business of conquering America. May God, of his infinite mercy, restore these poor deluded creatures to the right use of their understanding, and change their hearts. And may we, from their dreadful example, learn to obey his commandments, and hold fast that liberty with which he hath made us free.

"A copy of a petition inserted in a late newspaper printed in the garrison of New York, evidently the contrivance and handy work of the British Commissioners, who, according to their own account, are to vanish from the Western World in a few days."

William Henry Drayton to the Carlisle Commissioners

Philadelphia, October 24, 1778.

To the Earl of CARLISLE, Sir HENRY CLINTON, and WILLIAM EDEN, Esq;

Your Excellencies Proclamation and Manifesto of the 3d of October, is the subject of my present amusement.¹ You were commissioned for the sole purpose of *amusing* the Americans, and it must be confessed, even by your greatest enemies, that you have acted your parts in a masterly manner: The American nation are not a little obliged to your Excellencies for the *diversion* you have afforded them. This very entertaining Manifesto of yours, is addressed to the Members of Congress, the Members of the General Assemblies or Conventions of the several States in the union, and to all others, free inhabitants of those States; and therefore it naturally follows, that I may with propriety address myself to your Excellencies in return. I would not for the world omit shewing "a just regard to the characters you bear."

You are pleased to say, that "having amply and repeatedly made known to Congress, and having also proclaimed to the inhabitants of North-America in general, the benevolent overtures of Great-Britain towards a union and coalition with her Colonies, you do not think it consistent, either with the duty you owe to your country, or with a just regard to the characters you bear, to persist in holding out offers, which in your estimation required only to be known to be most gratefully accepted." I must confess to your Excellencies, that I think this sentence is full of dignity and elegance; it corresponds "with the duty you owe to your country and with a just regard to the characters you bear." It was not possible for me to conceive, that while you were laying down this idea, that you were resolved "to persist in holding out offers" to Congress and the inhabitants of North-America, which they had treated with the most sovereign contempt. But in a moment, your manifesto convinced me, it was drawn up for the very purpose which it reprobated in the most pointed terms. Your Excellencies are happy in being possessed of a facility in reconciling to yourselves, ideas, which to the rest of the world appear utterly irreconcilable. Great poets are not confined by rules; and your Excellencies shew us, that great politicians are equally exempted.

You "again declare" to Congress those offers which they have repeatedly rejected as absolutely inadmissible. Could your Excellencies flatter yourselves, that because you persisted in renewing your offers, that therefore Congress would accept them! It is true, some gallants have wooed in this manner with success, the fair being too

gentle to resist such importunities; but the materials you are at work upon, are rather of a firmer nature. Look through the proceedings of Congress, and say whether you have found an instance of their receding from a declared determination. On the contrary, those proceedings must have convinced you, that for you "to persist" in renewing your offers, is to shew the world, that you are resolved to throw away your time. I shall say nothing with respect to the offers you repeat to Congress, nor to your assertion that Congress were not authorized to reject your offers, or to refer you to foreign treaties, which though real, you are pleased *now* to call "pretended." Enough has been said on those subjects in several letters to your Excellencies;² nor do I think it consistent with a just regard to the character I bear, now to persist in repeating those arguments which fully pointed out the insidious nature of those offers, and the falsity of those assertions. But, as to your invitation to the General Assemblies separately, I must say it would be too dangerous an expedient for them to trust to, even were they disposed to relinquish their independence. And, as to your invitation to the free inhabitants individually, this is yet more exceptionable than the last. It is not by such very partial negotiations, that a people are to force Britain to yield them important national advantages. And this must be obvious to every man, because during the whole course of this dispute, Britain has never been disposed to yield a single point, but when she lay under the edge of the sword of America. If then the combined wisdom and power of America is but adequate to the talk of forcing Great-Britain to yield important national advantages to America, can your Excellencies really think, the General Assemblies separately, and the people individually, are so simple, as to be manifested by your Excellencies into a belief, that they can procure the same advantages by a disunion of counsel and of force!

"It has not been," you say, "nor is it your wish to seek the objects which you are commissioned to pursue, by fomenting popular divisions and partial cabals." "But it is both your wish and your duty," you add, "to encourage and support any men or bodies of men in their return of loyalty to your Sovereign." Now if this is not a declaration of your wish to foment popular divisions and partial cabals, I know not what can be; and if your Manifesto was not sent abroad for those purposes, I am at a loss to conceive for what purposes it was issued. You declare, you "think such conduct would be ill suited to the generous nature of the offers made, and unbecoming the dignity of the King and the State which makes them," but you do not scruple, at the same instant, to act diametrically contrary to your declaration "amply made known." By your conduct you clearly advise us to place no confidence in what you say, and yet you go on proclaiming.

Your Excellencies tell us, that, "if there are any who think," "the independence of these" States "will in the result, be acknowledged by Great Britain, to them you answer without reserve that you neither possess or expect powers for that purpose; and that if Great-Britain could ever have sunk so low as to adopt such a measure, you should not have thought yourselves compellable to be the instruments in making a concession" of independence. Here are many words, let us see what they amount to.

There was no occasion for your Excellencies to take the trouble to acquaint us, that you do not possess powers authorizing you to acknowledge our independence; because the act of Parliament, on which your commission is founded, had long ago fully informed us upon that point. Whether you expect such powers, is of but little moment. Because you did not expect to receive such powers, it does not therefore follow, that such powers will not be placed in the hands of other persons. The British Commanders in Chief have been changed; and so may the British Commissioners, and for the same cause, the want of success. We see these things, and we then see how idle it is for your Excellencies to endeavour to give to a very trifle, an air of importance. But you add, if you had received such powers, you should not have thought yourselves compellable to be the instruments in making a concession of independence. It is true, nothing can be more legal than your opinion, that you would not have been compellable. But it is not in the least probable, that men, as your Excellencies, who have long been used to obey the directions of their superiors, and who voluntarily submitted to engage in a business, in which others expressly reserved to themselves a power, to disown all their important contracts and to destroy all their labours, I say, it is not very probable such men would be very scrupulous about being the instruments in making a concession of independence to America. However, I need not press this point; you have not said, that you *would not* be the instruments, you have only said, you were not *compellable*. When profound statesmen, as your Excellencies, are covert in their expressions, they always have an important reservation. I therefore admit your *dictum* upon the subject of compulsion, and give you credit for what you mean; nor can your Excellencies desire that I should do more.

You have declared that your Manifesto and Proclamation shall continue in force "forty days," and that, except Sir Henry Clinton, you have "resolved to return to England a few weeks after the date" of it. And this is a very explicit declaration, that you despair that your Manifesto will be attended with success, it is perfectly decisive. If you expected success, you must have been sensible that success would have required your stay in America several months; but by limiting yourselves to "*a few weeks*," and forty days are near six, you demon-

strate in the most unequivocal manner, that you absolutely despair of success. The Americans have withstood your most violent efforts to subdue them, and now even the timid whigs and tories must be too prudent to submit to you; when having seen the British power in America broken, they now hear you tell them, you despair, they will do as you advise. This last stroke of your Excellencies, is truly a masterly stroke in politicks.

Until the publication of your inimitable Manifesto, we had yet to learn, that "the policy," as well as the benevolence of Great-Britain have thus far checked the extremes of war, when they tended to distress a people still considered as your fellow subjects, and to desolate a country shortly to become again a source of mutual advantage." For America then had in her eye, the ruins of Charles-Town, Falmouth, Norfolk, Esopus, Bordentown, Warren, Bristol and Bedford; and the desolations about Philadelphia, on the banks of Hudson's river, in Wyoming, German Flatts, in Jersey, in Rhode Island—a mournful and wanton scene of destruction! America had at that moment also deeply impressed in her mind, the agonies of her sons in the prisons and prison-ships at New-York, where many hundreds died of hunger, cold, suffocation and filth, after having endured the most taunting, pointed and continued insults of their keepers. The wife who appeared at the prison door, with a morsel of bread and a blanket for the wretch within, was beat down with a musket. The officer on the part of America was prevented from furnishing the prisoners with food and raiment. In the morning the prisoners were supplied with water in those very tubs, which were but just emptied of the excrements with which they had filled them during the night. Great-Britain has instigated the Savages to massacre men, women and children. Her troops have refused to grant quarter in innumerable instances. The venerable General Mercer died of the wounds he received after he fell and was made prisoner upon the field of battle, as did Lieutenant Lang, who received no less than nineteen bayonet wounds after he had fallen. I write not at random; I minutely know these transactions, which with many others of a similar nature will by authority be published to the world by affidavits. Your Excellencies, Sir Henry Clinton excepted, may be strangers to these horrid enormities, but they are true. They call down the vengeance of Heaven upon your nation: That vengeance is now shaking your nation to the very centre: She feels the dreadful shock, and trembles in despair!

It is no less pleasant than useful, now and then, to look into history, and see in what manner men, in your and our circumstances, spoke and acted. The allegiance of Great Britain was in the year 1688 withdrawn from James the Second, because he invaded their laws and fundamental constitution. The allegiance of America in the

year 1776 was withdrawn from George the third, for the same reasons. As long as King James thought he could recover his throne by force of arms, so long he spoke in the loftiest tone—Executioners were to be the avengers of his wrongs: And in like manner, as long as the Court of Great-Britain thought they were able to conquer America, so long that Court demanded an unconditional submission from America. In the year 1692 all King James's hopes of seizing the throne were blasted, and on the 17th of April following he issued a declaration professing that he desired "rather to be beholden to his subjects love to him, than to any other expedient whatever, for his restoration:" Promising that he would be "ready to redress all their grievances, and give all those securities of which they should stand in need," if they would submit to his authority. So in the year 1777 the British Government having lost a compleat army, finding they had not an ability to supply the men and money necessary to carry on the war, and losing all hopes of conquest, on the 13th of April following they appointed Commissioners to go out and talk to us about "cordial reconciliation," of restoring "free intercourse," and reviving "mutual affection;" and to promise us "the irrevocable enjoyment of every privilege that is short of a total separation of interests," provided we would consent to return to a subjection under the Crown of Great-Britain. It is curious to observe how exactly parallel the two cases are.

There was a sensible Whig "answer to the late King James's last declaration." I beg leave to shew your Excellencies in what light the people of England in that day considered an invitation to return to a subjection under a cast off monarch. The writer of the answer says, "I challenge all the late King's declaration-makers, to give me but one single instance from history, that ever a free people, who from a just and recent sense of an invasion upon their laws and fundamental constitution, had withdrawn their allegiance from him, did ever afterwards willingly and tamely submit to his government again. No, there is not one instance of this kind, in all the records of time: for, though scarce one age has passed without some remarkable revolution in kingdoms and states; yet a thing of this nature was never yet heard of since the world was." "But to submit the dearest and most sacred things, that a man can possess on earth, the liberties, laws, and fundamental constitutions of his country, all that either he or his children after him can call or wish their own: To submit all these, I say, to a few feeble promises of one that has broke to us much more solemn ones before, were a madness that never a nation under Heaven was yet guilty of. As it is the easiest thing in the world to promise largely, when a man finds it his interest to do so; so it is ordinarily the last refuge weak minds have recourse to, when all other means of compulsion or persuasion fail. But at the same time, he that

threatens highly, when he thinks he has power in his hands to make his threats good, and comes thereafter to cajole with soft promises of good treatment, when that power is gone; one must divest himself of common sense, if he believe that that man's mind is really changed for the better, and does not ascribe the change of his manner of treating with us, to the change of his fortune."

Such were the sentiments of the people of England upon King James's declaration: They are my sentiments upon the present offers of Great Britain; and I believe your Excellencies are convinced, they are the sentiments upon the same subject, of that part of the inhabitants of America, who have broken the force of Britain, and are able to maintain the independence of their country.

Judge then of the contempt with which we receive your threats, that if we persist in our independence, the question with you is, "how far Great-Britain may by every means in her power destroy" America. Such a declaration on your part, does no honor to your masters, to your nation, or to yourselves. It is an outrage upon humanity. It is a proof of a narrow and base mind. But your Excellencies will do well to foresee, that in case your threat shall be begun to be carried into execution, that then it will be a question with us, how far we shall hold General Burgoyne's army responsible for the effects of your fury. I warn you, that as you burn our towns, so shall I urge to decimate your legions. I say thus much, rather to shew you that we have the means of retaliation in our hands, than because I apprehend you will drive us into such a measure. You have all along endeavoured to bully us; an old custom is not easily laid aside, and therefore you continue to threaten. God has raised us to independence, and we rest assured that Britain cannot deprive us of it. You have tried the art of persuasion, and Governor Johnstone has attempted the art of corruption, to induce us to relinquish our independence. Your arts have failed, your force has failed, and we are not yet, and I trust never shall be quite so mad as to compliment Great-Britain with our obedience.

W.H.D.³

MS not found; reprinted from the *Pennsylvania Packet; or the General Advertiser*, October 29, 1778.

¹ The British peace commissioners' October 3 "Manifesto and Proclamation," in which they appealed to the people and state legislatures of the United States to accept British peace terms, had been printed in the October 15 issue of the *Pennsylvania Packet*. For the commissioners' own explanation of its provenance, see their October 15 letter to Lord George Germain in Davies, *Documents of the American Revolution*, 15:218-19.

² See Drayton to the Carlisle Commissioners, June 17, July 3, and September 4, 1778.

³ For a discussion of the newspaper letters Drayton wrote to the British peace commissioners using his initials as a pseudonym, see Drayton to the Carlisle Commissioners, June 17, 1778, note 1.

Cornelius Harnett to Richard Caswell

Sir,

Philadelphia Octr. 24. 1778

A fleet from New York Consisting of 16 Ships of the line & upwards of 100 Transports sailed a few days [ago] with Troops & heavy Cannon on bord, their destination is at present a Secret. Congress are much Alarmed fearing they may intend for the Southward (Chas. Town) which has induced them to Call upon No. Carolina for a greater body of men than I suppose can be raised in time to prevent the Enemy's Designs. Your Excellency will perceive it to be the desire of Congress that you should put yourself at the head of the Troops from your State & should you be inclined to do so, have given you the rank & pay &c of a Major Genl. in the Continental Army. Genl. Howe is ordered to head quarters, and Genl. Lincoln an Officer of great Military merit is Appointed to the Command in the Southern Department.

I hope Your Excellency has long since received the 400,000 Dollars for Bounty pay &c of the last levies. 150,000 more will in a few days be sent to Mr. Wm. Blount¹ for the use of the Troops to be sent to So. Carolina where One Million more will be sent for the expense of this Expedition. Genl. Washington apprehensive that the enemy may intend an Attack upon Boston, has Ordered on Genl. Gates to the eastward with a large detachment from the main Army. Should the Enemy Appear on that Coast, I suppose all New England will be in Motion. Some among us think this fleet has sailed either for Europe or the W India Islands. Whether N York & R Island will be evacuated by the Enemy this fall, seems at present very doubtful. The Newspapers inclosed will give you an Opportunity of forming a Conjecture of the Enemy's designs, you will find the last Speech and Dying words of the British Commissioners, with the Comments upon it by Common Sense.²

I beg Your excellency will not take amiss, by Once more reminding you of the Necessity of sending on as soon as possible The State Account against the Continent. The Charge against No. Carolina in the Treasury Books is 1,075,543 29/90 dollars, when Other States which have had ten times the money expended in them do not stand Chargable with more than 500,000 Dollars. And this entirely Owing to their having a Military Chest established within them & constantly supplied out of the Treasury of the Continent, exclusive of Commissaries, Quarter Masters &c who never Called upon the State for Money.

27. Octr. Since writing the Above & meeting with no Opportunity of sending it forward but by Post, I have Inclosed a paper of this date. It is now believed the Enemy *really* intend to Evacuate N York.

I have not had the pleasure of a line from Your Excellency since my return. I am with the Greatest respect, Your Excellency's Most Obed & very huml. Servt.
Cornl. Harnett

[P.S.] We have procured 10,000 Dolls. to Carry into Execution the Resolve of Our Legislature of the 30 April relative to Supplying Our Troops with Necessaries.³

RC (Nc-Ar: Governors' Papers).

¹ This day President Laurens wrote the following brief letter to Blount, "Dep. Paymr. Genl. State of North Carolina." "Within the present inclosure will be found an Act of Congress of the 20th Instant for lodging in your hands the sum of One hundred and fifty thousand Dollars for the pay & subsistence of the Levies recommended to be sent from that State to Charlestown for the defence of the States of South Carolina and Georgia." See PCC, item 13, 2:130; and JCC, 12:1026-27.

² The reply of "Common Sense" (i.e., Thomas Paine) to the British peace commissioners' October 3 manifesto appeared in this day's *Pennsylvania Packet*.

³ Congress had agreed to advance this money to North Carolina on October 5. JCC, 12:981.

Samuel Holten's Diary

[October 24, 1778]

24. Saturday. Genl. Lincoln sit out from this city to take the command of the Southern Army.¹ I met a Come. at 5 o'Clock.

MS (MDaAr).

¹ According to Holten's two preceding diary entries, Gen. Benjamin Lincoln had "dined with us" on October 22 and 23.

Henry Laurens to Benjamin Harrison, Jr.

Sir

24th October [1778]

Your favor of the 14th of August last I had the honor of receiving and presenting to Congress on the 25th of that Month, with the Account which came inclosed in it.¹

Under the present Cover will be found an Act of Congress of the 20th Instant² directing the Board of War to transmit to you One hundred thousand Dollars for the purpose of paying the Arrears due to the Continental troops in Virginia, and the Militia of that State called into service last year, and for other purposes therein mentioned.³

LB (DNA: PCC, item 13). Addressed: "Benjamin Harrison Junr. Esquire, Dep. Paymr. Genl., Virginia, by General Lincoln."

¹ JCC, 11:835-36.



Marie-Joseph-Paul-Yves-Roch-Gilbert du Motier,
Marquis de Lafayette

² *JCC*, 12:1026.

³ This day Laurens also sent the following note to Virginia's Governor Patrick Henry. "Your Excellency will receive within the present Cover an Act of Congress of the 22nd Inst. for paying Arrears due to the Militia of Virginia who have been called into the Continental Service by Congress or the Commander in Chief." See *JCC*, 12:1038–39; and *PCC*, item 13, 2:129.

Henry Laurens to the Marquis de Lafayette

Sir

24th October [1778]

I had the honor of presenting to Congress your Letter soliciting leave of absence,¹ and I am directed by the House to express their thanks for your zeal in promoting that just cause in which they are engaged and for the disinterested services you have rendered to the United States of America.

In testimony of the high Esteem and Affection in which You are held by the good People of these States, as well as in acknowledgment of your Gallantry and Military Talents display'd on many signal occasions, their Representatives in Congress assembled have ordered an Elegant Sword to be presented to You by the American Minister at the Court of Versailles.

Inclosed within the present Cover will be found an Act of Congress of the 21st Instant authorizing these Declarations, and granting a Furlough for your return to France to be extended at your own pleasure.²

I pray God to Bless and Protect you Sir, to conduct you in safety to the presence of your Prince and to the re-enjoyment of your Noble Family and Friends.

I have the honor to be, With the highest Respect & with the most sincere affection, Sir, Your Most Obedient & Most humble Servant

LB (DNA: *PCC*, item 13).

¹ See *JCC*, 12:1004–5; and Lafayette, *Letters* (Idzerda), 2:190–91. Lafayette's October 13 letter had been referred to a committee consisting of Gouverneur Morris, Samuel Adams, Richard Henry Lee, and John Witherspoon, which apparently determined the substance of Congress' response. A draft of the present letter, in the hand of Gouverneur Morris, is in the Laurens Papers, no. 32, ScHi, but since there are several verbal variations between Morris' draft and Laurens' letterbook copy, it is clear that Laurens did not feel bound simply to transmit the committee's draft over his signature.

² *JCC*, 12:1034–35.

Henry Laurens to Rawlins Lowndes

Dear Sir

24th October [1778]

I beg leave to introduce to Your Excellency Major General Lincoln, a Gentleman universally acknowledged a brave Soldier and a virtuous citizen. I lately transmitted to Your Excellency an Act of Congress appointing this Gentleman to the Command of the Confederal Troops in the Southern department. He intends to begin his Journey this Morning, but as he must necessarily delay some time at Williamsburg, and Newbern, it is probable my intended next Letter by Mr May will be most forward. I shall therefore only repeat at present that I am with very great Respect and Esteem, Sir &c.

H.L.

LB (ScHi: Laurens Papers, no. 16).

James Lovell to John Adams

Dear Sir

Philada. 24th Octr 1778

I was not a little surprized yesterday at seing a Letter from you to Mr. S. Adams by Mr Archer,¹ in wch you make no sort of acknowledgmt of any of my numerous Scrawls; 14 or 15 have at least gone on the Way to you.² I have felt myself lately under the necessity of letting you go by guess as to what we are doing here. Congress have the Papers of the Committee for foreign affairs on their Table, and are taking their own Time to execute any Thing material for you to know; therefore I would not take upon myself to give you any Detail of those matters, further than to say that the Presence of Mr. Deane and Mr. Carmichael seems rather to perplex than clear our Views. Those Gentlemen having been at Variance for a Season and now cordially reconciled, there is a sort of a Task in accommodating the Meaning of Expressions used at different Periods under the Influence of different Passions. The only Results of Interrogatories I forsee must therefore be the Loss of that Time which had better be spent in attending to our Finances. And here, by the Way, I must ask what are become of your Terrors on that Score. Not a Word of Finance in your Letter to Mr. S. A. Do you not know that our Depreciation of Currency is the main Stay of our Enemies. We must immediately Loan 60,000,000 out of circulation & tax vigorously, or we shall be all afloat. Can we not borrow in your Neighbourhood? But, you are a wrong Man to ask. You are averse to Debts abroad. Believe me, it is the general Opinion here that our Sons & Grandchildren ought rightfully to pay a part of the purchase we are

now making for them. We must therefore contract abroad a Debt for the Payment of which a sinking Fund must be established here. This need not hinder us from rendering such a Provision repealable by the Sale of Property which may easily be acquired southward of Georgia and Eastward of the Province of Maine.

I have been & am much unwell. I have escaped a settled nervous Fever by Care upon the most violent Symptoms. Writing hurts me. Your affectate. Frd & Servt.³

James Lovell

RC (MHi: Adams Papers). Endorsed by Adams: "Mr. Lovel. ansr Feb. 13, 1779."

¹ See Samuel Adams to John Adams, October 25, 1778, notes 1 and 2.

² Lovell did not receive a letter from Adams until February 16, 1779, when he received one dated December 16, 1778. At the same time, Adams was complaining to his wife Abigail that no one, including Lovell, was writing to him. Adams, *Family Correspondence* (Butterfield), 3:124-25, 171-72.

³ For the continuation of this letter, see Lovell to Adams, October 27, 1778.

Marine Committee to William Smith

Sir Marine Committee Philadelphia October 24th 1778

We have received your Letter of the inst. informing the arrival of the schooner Swan at your Port. As you have already shipped the Flour that remained in your care onboard a Vessel for Boston, and the Captain of the Swan does not relish proceeding to Senepuxent to take in what flour & Iron remains there, we have directed the Commissary General of Purchases to give immediate orders for a lading of flour at your port or any other place in Cheseapeake Bay that may be more convenient to the Magazines. You will order the Captain to proceed where he may be directed to take in his Cargo.

In our last we wrote you to send your Accounts,¹ and now request you will do so as soon as you can. Please to particularize the quantities Shipped in each Vessel and what remains at Senepuxent. We must request you to take bills of lading and Invoice for the flour now to be shipped in the Swan and send the same to the Navy Board at Boston. We are Sir, Your Obedt Servts,

Richard Henry Lee Chn

P.S. We are just now well informed that a frigate and two or three small armed Vessels of the enemy are cruising in Chesapeake Bay which have taken some private Vessels with flour bound to the Eastward. This renders it necessary that the Swan should not be dispatched until you know the Bay to be cleared of the enemies Cruisers, but as quickly after as possible.²

R.H. Lee Chn.

24th Octr. 1778

RC (PHi: Etting Collection). In the hand of John Brown, with signature and postscript by Richard Henry Lee.

¹ See Marine Committee to William Smith, October 1, 1778.

² The immediate British naval threat to Chesapeake shipping had apparently eased by mid-November, for on the 16th the Maryland Council, on application from William Smith, ordered the naval officer of the port of Baltimore to issue a clearance for "the Schooner Swan from Boston commanded by Capt. Styles [to ship] a Cargoe of Flour for the use of the United States pursuant to the Order of the Marine Committee of the twenty fourth Day of October." *Md. Archives*, 21:238.

Samuel Adams to John Adams

My dear Sir,

Philade Octob 25. 1778

Your Favor of the 24th of May did not reach my hand till yesterday.¹ The Gentleman who brought it, Mr Archer, tells me he had a Passage of Eleven Weeks. I will show him the Respect due to the Character you give him, & properly regard such future Recommendations as may come from you.

I suppose you have been fully & officially informed of the State of our military Affairs since the Enemy evacuated this City and met with a Drubbing at Monmouth. And as publick Letters will doubtless be forwarded by this Conveyance, it is needless for me to give you a particular Detail of what has happend since. By those Letters you will be informd that Dr Franklin is appointed Minister Plenipotentiary at Versailles. It is not yet determined how you will be disposd of; but as Congress entertain great Expectations from your Services, you may depend upon Employment being allotted for you somewhere.² The critical Situation of the Powers of Europe in general, renders it somewhat difficult for us to determine, to which of them to make our Addresses at present. Every Cabinet I suppose is busily engagd in making the necessary Arrangements and preparing for the opening of a Campaign, if War should take Place. In this Case, I should think France must be our Pole Star, while it continues, and our Connections must be formd with hers. In the mean time however, Holland, whose Policy is always to be at Peace, may be open for a Negotiation; and in my opinion, we ought to take the earliest opportunity to tempt her.

The two main Armies at & near New York have been quiet since the Enemy retreated to that City. We have made another Expedition against Rhode Island. Our Arms were not disgracd, though we did not succeed to our Wishes. Genl S³ behavd as usual with Bravery; but some will have it that there is a Mixture of Imprudence in every thing he does. He promisd himself to share with Gates in the Glory of Victory, and as an officer of Spirit, no doubt he felt vexed with the Disappointment; but he was too sanguine in my Opinion, when

he expected that the Count D Estaing would remain there, in the Circumstances which he was thrown into by a violent Storm he met with when in Pursuit of Lord Howe. This unforeseen & unavoidable Accident left him too much inferior to the British Squadron to run the Risque with any Degree of Prudence. It was a Misfortune which we all regret, but must bear. Knowing the high Temper of the People of my native Town, I immediately upon hearing it, wrote to some of the principal Men to prevent Blame being cast on the Count for leaving Rhode Island; a Disposition which I apprehended the artful Tories (for such there are even there) would encourage with a View of discrediting our new and happy Alliance, in the Minds of injudicious Whigs. I am happy to be informd that the Count and his Officers, and indeed every french Gentleman is treated there with the highest Marks of Respect and Friendship.

For some Weeks past there have been Reports here that the Enemies Troops at N York were about to embark, as they gave out on a grand Expedition, and we are now assured that Sixteen Sail of the Line and about one hundred and fifty Transports put to Sea on Tuesday the 20th Inst. Various are the Conjectures of their Destination. Whether to Boston, South Carolina or the West Indies, a few Days will decide. The Count D Estaing has sufficiently secured his Ships in Case of an Attack on them; and if they land their Troops with Intent to march them to Boston, it is my opinion they will repent of their Expedition. It appears to me most probable that the Troops are bound to the West Indies, and that the Ships of War, after having convoyd them to a certain Latitude will return for the Protection of the Garrisons which I suppose are to be left at Newport and New York. The Enemy will be loth to quit the small Portion of Land they possess within the United States; for though they must despair of subduing us by Arms, it will be necessary for them to oblige us to continue the Expence of large Armies in order to nonplus us in the Art of financiering. This may be a Method of carrying on the Contest, the most puzzling to us; but I trust we shall disappoint them.

The Marquiss De la Fayette whose extraordinary Merit is fully known to you, does me the Honor of taking the Care of this Letter, and will deliver it to you.⁴

I am, my dear Sir, with the greatest Sincerity, your affectionate,
Saml Adams

RC (MHi: John Adams Papers).

¹ John's letter is printed under the proper date, May 21, 1778, in Adams, *Diary* (Butterfield), 4:106-8.

² For further information on Congress' September 14 decision to appoint Benjamin Franklin as sole minister to France, see Committee for Foreign Affairs to Franklin, October 28, 1778. In his May 21 letter to Samuel, John had urged the appointment of a single minister to France, but the recommendation clearly arrived

in America too late to influence Congress' decision to make such an appointment. "The Truth is," he had explained, "in my humble Opinion, our System is wrong in many Particulars. 1. In having three Commissioners at this Court. One in the Character of Envoy is enough. At present each of the Three is considered in the Character of a Public Minister; a Minister Plenipotentiary, which lays him under an absolute Necessity of living up to this Character. Whereas one alone would be obliged to no greater Expence, and would be quite sufficient for all the Business of a Public Minister. 2. In Leaving the Salaries of these Ministers at an Uncertainty. You will never be able to obtain a satisfactory Account, of the public Monies, while this System continues. It is a Temptation to live at too great an Expence, and Gentlemen will feel an Aversion to demanding a rigorous Account. 3. In blending the Business of a public Minister with that of a Commercial Agent. The Businesses of various departments, are by this means so blended and the public and private Expences so confounded with each other, that I am sure no Satisfaction can ever be given to the Public, of the disposition of their Interests and I am very confident that Jealousies and Suspicions will hereafter arise against the Characters of Gentlemen, who may perhaps have Acted with perfect Integrity and the fairest Intentions for the public Good.

"My Idea is this, seperate the Offices of Public Ministers from those of commercial Agents. . . . Recall, or send to some other Court, all the Public Ministers but one, at this Court. Determine with Precision, the Sum that shall be allowed to the remaining one, for his Expences and for his Salary, i.e. for his Time, Risque, Trouble &c., and when this is done see that he receives no more than his allowance.

"The Inconveniences arising from the Multiplicity of Ministers and the Complications of Businesses are infinite." Adams, *Diary* (Butterfield), 4:107-8.

³ That is, John Sullivan.

⁴ Adams had also written the following brief letter introducing Lafayette to friends in Boston the preceding day. As he endorsed his draft of it "to Mr. P & C," Samuel probably sent copies of the letter to his regular correspondents Samuel Cooper and John Pitts.

"The Marquis De la Fayette does me the Honor of taking the Care of this Letter. His disinterested Friendship to Mankind, his particular Attachment to our Country and his Zeal, Activity and Bravery in its Service are so well known to you that I flatter my self I cannot gratify you more than by introducing him to your Acquaintance." Samuel Adams Papers, NN.

Henry Laurens to William Alexander

My Lord, Philadelphia, 25th October 1778.

Your favor of the 21st was brought to me late last Evening, the bearer of it expresses some anxiety to return without delay, & as I shall not have an opportunity for laying it before Congress till to morrow ten oClock I think it best to indulge him.¹ When Congress lay their commands on me Your Lordship shall be informed—in the mean time I cannot refrain from expression my admiration of the Liberality & obedience, displayed in the conduct of those persons who had captured Mrs. Yards Merchandize, by their gentle surrender of them.²

I have the honor to be, With great Respect & Esteem, My Lord, Your Lordship's, Obedient & most humble servt.

Henry Laurens, President of Congress.

RC (Roy C. Kulp, Silverdale, Pa., 1977).

¹ Alexander's October 21 letter to Laurens, enclosing information he had been directed to collect on the "massacre of Colonel Baylor's regiment, on 27 September last," was read in Congress on the 26th and is in PCC, item 162, fols. 539-41. *JCC*, 12:1062.

² For the context of this reference, see Laurens to Alexander, October 18, 1778. Explaining the reception Sarah Yard had met when she recently crossed the lines near his headquarters at Elizabeth Town, N.J., Alexander had reported on the 21st: "I presume Congress is uninformed that there is in force a Law of this State prohibiting all Intercourse and Commerce with the Enemy, but under Certain regulation, and empowering any person whatever to Seize & Secure any goods Wares or Merchandize brought from within the lines of the Enemy, directs a process at Law for their Condemnation and orders them to be sold for the benefit of the Captors. I could not therefore with any propriety Interfere in the Execution of the Law of the State; But I have prevailed on the Captors to Sell the Whole without examination to Mrs. Yard for Six pence, altho' there is good reason to believe they would Sell for twenty thousand pounds. This the Captors do, out of the Respect they have for Congress, and, from their great desire to Comply with every wish of that Honorable Body."

Henry Laurens to George Washington

Sir

25th October [1778]

Referring to my last Letter under the 23d Instant by Crawford, I proceed to forward to your Excellency within the present Cover an Act of Congress of the 23d for allowing Pay and subsistence to Monsr. Dominique Le Eglise, and for holding him subject to the directions of the Commander in Chief, or the Commander of the Northern Department.¹

This, I apprehend is intended as a support for an unfortunate, aged Gentleman, who has lost his effects, and suffered some hardships in the service of the United States, as represented to Congress by Major General Schuyler.

I have the honor to be &c.

LB (DNA: PCC, item 13).

¹ See *JCC*, 12:1056-57. L'Eglise had been employed by Gen. Philip Schuyler "on secret service in Canada . . . and being suspected by the enemy was in consequence imprisoned and suffered many hardships and loss of his effects on account of his attachment to these States."

Marine Committee to the Eastern Navy Board

Gentlemen

October 25th 1778

We have received your favours of the 16th & 27th September and 7th instant. We have directed the Commissary General of Purchases to order his Deputy at Boston to deliver you 1000 Bushels Salt for the

purpose of putting up Provisions for the use of the Navy. The loss of the *Raleigh* is certainly a very great misfortune, but we have a consolation in reflecting that the spirited and gallant behaviour of her commander has done honor to our flag—we desire that you will order a Court of enquiry on Captain Barry's conduct.¹ Captain Harding has been appointed to the command of the Frigate at Norwich named the *Confederacy* which prevents our giving that Ship to Captain Barry.² We expect by the time that this gets to hand that the Boston, Providence and Ranger are arrived and also the Warren, all which Vessels you will immediately again get ready for the Sea as well as those that are now in port and keep them for our farther Orders, unless some favourable opportunity should present of giving the enemy an important stroke which we would have you improve. We expect the *Confederacy* will be ready to join this fleet. It is probable the Frigate *Alliance* will be shortly wanted to carry the Marquis D La Fayette to France. We desire therefore that you will get her in readiness as soon as possible, and order suitable Accommodations on board for the Marquis and his suit, but this we would have you keep Secret lest the enemy should get intelligence and watch for the ship.

We are Gentlemen, Your Hble servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

¹ The *Raleigh* had been captured by the British after running aground in Penobscot Bay on September 27 after a three-day chase. Capt. John Barry was later cleared of responsibility for the *Raleigh's* loss by a court of inquiry. Gardner W. Allen, *A Naval History of the American Revolution*, 2 vols. (Boston: Houghton, Mifflin Co., 1913), 2:315–19.

² On November 10 Captain Barry was appointed to command "all the armed vessels" on the proposed expedition against East Florida. *JCC*, 12:1119–20. For the appointment of Seth Harding to command the *Confederacy*, see Marine Committee to Jonathan Trumbull, Sr., September 25, 1778.

Joseph Reed to Anthony Wayne

Dear Sir

Philad. Oct. 25. 1778.

I should be exceedingly unhappy if you impute the Delay of acknowledging your Favours of the 16 Sept. & 6th Octob. to any other Cause than a great Hurry of Business & Absence from the City on a publick Acct. Last Evening I received your Favour of the 13th Instant & devote the Hours of Rest to make you a Return.

You may remember we fixed a Rule to be observed in Case any Gentleman was injured in his Rank by our Arrangement viz. That he should apply to the Brigadier & Field Officers of the Regt. to which he belonged & obtain a Certificate of their Opinion which should intitle him to have an Alteration. I have no Doubt but the Case of Mr Bañkson & others is as stated, but I fear that having laid

down a Rule we may be blamed for departing from it, if any other Persons should conceive themselves affected by the Alteration. There will be Time to hear from you again before Publication, so that if our Idea is wrong you can set us right.

The Case of the eldest Lieutenant (when a Captain has taken the Captain Liutenancy) having the Rank of Capt. Lieutenant appears so reasonable that we shall recommend it & have no Doubt it will be adopted.

I was in Hopes that Mentges's & Murray's Promotion had been got over, after being stirrd while we were with you & seemingly submitted to by all except Mr. Lenox who resigned & came away. But since it is otherwise I wish you would converse with his Excellcy. upon the Subject. I well remember that conceiving Mentgez to have got extravagant Promotion I had conceived a Design of raising up some of the Captains whom he had displaced, but the General represents that upon the Formation of the new Army in 1776 there was no fixed Rule of Promotion & that any Retrospect so as to deprive an Officer of Rank actually given him at that Time (however, improperly) would unsettle the whole Line of the Continent & introduce endless Confusion, I gave up my Sentiments & concluded it must be submitted to as an Evil. However if it can be rectified with the Generals Concurrence, by submitting the Claim to a Board of Officers I am sure the Committee will concur in any Alteration, but if it cannot be had without real & essential Injury to the Service, I trust the Gentlemen have more Virtue, & good Sense than to insist upon it.

The Case of the Gentlemen who by the Fortune of War have become Prisoners & now wish to serve again is one in which the Interests of Humanity & Justice are deeply interested & I must frankly acknowledge that I do not see how we can exclude them without a manifest Violation of the plainest Rules of Honour & Gratitude.

There are many of them who having no Title to enter into any particular Regiment must be admitted somewhere in the Line, or you tell them in the same Instt., that they shall come in, but there is no Place for them, which amounts to telling them they shall not come in at all. If you put them upon the Regiments other than the 1st, 2d, 3d & 5th, & 7th, they will complain of it as an Act of Injustice. It would be cruel to say these Officers have not fought & suffered equally with those who have not been captured—they turn'd out as early in the Cause, if not more so, & now to discard them utterly, appears to me so great a Hardship that I know not how to think of it much more consent to it, & I hope the Gentlemen who are affected so much by it, will on this Occasion apply the Golden Rule—change Places for a Moment & think how they would like to be thus rewarded for a faithful & honourable Discharge of their Duty. We have recommended the Arrangement to Congress on this Principle previ-

ous to the Receipt of your Letters, & as we acted upon it when at Camp, which was acquiesced in at least for ought we know, I cannot but flatter myself, that Justice, Magnanimity, & public Spirit will induce the Gentlemen to receive among them with Cordiality their brave Fellow Soldiers who have been long languishing in cruel Captivity & thirst for Revenge.

But if these Considerations have not the proper Effect upon the Matter being laid before the General & by him transmitted to Congress—I make no Doubt every Thing will be done that is reasonable & proper.

I cannot but regret as a publick Loss the Resignation of such Officers as Col. Frazer, Col. Johnston, & Colonel Miller & Colonel Robinson. We shall not easily replace them; but as [*it*] is to [*be*] expected that the private Affairs of many Officers will call them home, & the Appearance of publick Affairs is now so favourable to the Interests of America, they have the Pleasure of reflecting that they did not leave the Ship till she was in smooth Water, & in Sight of a Harbour.

I do not know whether the Return of some Gentlemen into the State may not be useful—the Tories are yet unhumbled & the extraordinary Attention paid them by some Gentlemen of Rank both in Congress & out of it, has had a very mortifying Influence upon the Minds of those who have partook of the publick Danger & run all Hazards. Characters are hourly emerging from Obscurity into which they had thrown themselves to avoid Notice, & are now putting in their Claims to those Rewards which are due only to those of a different Stamp. The Stale Pretence is an Alteration of the Government which if to be done by the Whigs I dare say would be attended with little Difficulty, but it is very evident that their Designs are deeper & that it is intended to let in the Tories & Quakers. A Ticket was tried by some you would not suspect, with Mr. Chews Name & others of the like Stamp, but this was too premature to take Effect tho it plainly shews what is intended & what we have to expect another Day. In my own Part provided it is a Government by Whigs I do not care who they are or where they come from.

I am sorry you have so much Difficulty & Dissatisfaction among the Gentlemen of the Line but it is a Duty we owe them & our Country to comply with all their reasonable requests & patiently to hear their Pretensions. In a Service where from the Poverty of the Country, Honour, & a Consciousness of having made that Country free, are like to be the brave Man's principal Reward I hope none will have Reason to think they are neglected or overlook'd.¹

If I can be of any Service to you here pray command me. I should be sorry to miss an Oppy. to shew you how much I am, Dr Sir, Your very sincere well wisher & Obed. Hble. Serv. Jos. Reed

RC (PHi: Wayne Papers).

¹ Although Reed probably did not attend Congress after October 12, his correspondence with a number of Continental officers indicates that he continued for some time thereafter to remain concerned with issues growing out of his congressional work on the committee of arrangement. In addition to this letter to Wayne, such examples are found in his November 5 letter to Nathanael Greene, Greene, *Papers* (Showman), vol. 3; and Washington's November 23 letter to him (on the subject of a command for Lambert Cadwalader), Washington, *Writings* (Fitzpatrick), 13:312n. His November 16 letter to William Irvine, which is in the Irvine Papers, PHi, reads as follows:

"Dear Sir, Tho I am very much engaged in other Business I cannot let Gen. Armstrong go to Carlisle without acquainting you of the Steps I have taken upon your Claim. On my Return from Camp I made due Inquiry & found that Gen. Hand had been promoted in the Manner then suggested viz. upon the Nomination of North Carolina. Being satisfied of this in making Report to Congress & recommending General Officers in the Name of the Committee I stated the several Facts which the Delegates of North Carolina admitted were truly stated, but declared they could not consent to receive Gen. Hand as their Officer. I then stated Col. Magaw and yourself as standing next in order of rank. That Col. Magaw being a Prisoner, if a Brigadier was indispensably necessary at present as Gen. Washington intimates you stood intitled, but in this case Col. Magaw's Right should be saved either by Agreement between yourselves or by express Reservation, as it would be a great Injustice that a good Officer should lose his Right by the mere Fortune of War. The Generosity of your own Mind I am sure will lead you to approve this Rule of my Conduct. Thus the Matter stands—Carolina says she will not have Genl. Hand. Pennsylvania should say & I trust will, that having nominated him she must be bound by her Nomination or the Rights of others will be invaded. Gen. Hand's Merit as an Officer is not questioned, it is a Question more affecting to the State of Carolina and Pennsylvania, than a personal Question.

"I have not now the Honour of a Seat in Congress but as far as lays in my Power shall convey the Sentim'ts I have expressed to those who succeed me & hope they will have their due Weight. I am with much Esteem Sir, Your most Obed. & very Hbble Serv. Jos. Reed."

For the ultimate disposition of Irvine's case, see *JCC*, 14:578, 580, 16:215.

Samuel Adams to Arthur Lee

My dear Sir

Philadelphia Octob 26 —78

Your several Letters dated as in the Margin,¹ with the Inclosures came to my Hand. And although I have not hitherto acknowledged to you the Receipt of them, I assure you I have been and am still improving the Intelligence you have given me, to the best of my Power, for the Advantage of this Country. From our former Correspondence you have known my Sentiments. I have not altered them in a Single Point, either with Regard to the great Cause we are engagd in or to you who have been an early, vigilant & active Supporter of it. While you honor me with your Confidential Letters, I feel and will freely express to you my Obligation. To have answerd them severally would have led me to Subjects of great Delicacy, and the Miscarriage of my Letters might have provd detrimental to our im-

portant Affairs. It was needless for me to run this Risque for the sake of writing; for I presume you have been made fully acquainted with the State of our publick Affairs by the Committee, and as I have constantly communicated to your Brother R. H. the Contents of your Letters to me, it was sufficient on that Score, for him only to write, *for he thinks as I do*.

The Marquiss De la Fayette, who does me the Honor to take this Letter, is this Moment going, which leaves me Time only to add that I am and will be your Friend, because I know you love our Country and Mankind.

I beg you to write to me by every opportunity. Adieu my dear Sir,
S. Adams²

FC (NN: Adams Papers).

¹ Adams wrote the following dates in the margin: "July 31, 77, Oct 4, Nov 11, Dec 18, Dec 19, Jan 2, 9, Feb 8, 16, Mar 1, Apl 1, 16."

Lee's letters of October 4 and December 18, 1777, and January 2, February 16, and April 1 and 16, 1778, are in the Samuel Adams Papers, NN, as are letters of October 30 and November 25, 1777. His March 1, 1778, letter is in Richard H. Lee, *Life of Arthur Lee, LL.D.*, 2 vols. (Boston: Wells and Lilly, 1829), 2:138-9, as are ones of November —, 1777, and February 28, 1778, *ibid.*, pp. 119-21, 137-38. A transcript of his December 19, 1777, letter is in PCC, item 102, 2:30. His letter of July 31, 1777, has not been found.

² The draft of the following October 26 letter, which Adams wrote to an unknown recipient, is in the Samuel Adams Papers, NN.

"Mr. Duncan yesterday brought me your very affectionate Letter of the Instant. I rejoyce that you have recovered your usual State of Health and that my Family enjoy that inestimable Blessing.

"Is it possible that M—— could make & propagate so formal, so barefaced a Story as you mention? Are you not misinformd? I lose every Sentiment of Regard for him as a Man of Truth. I have heard that my Enmity to G. W. was objected agt me on a late Occasion. I did not wonder that those who believd it were displeasd with me. My very worthy Friend & colleague Mr D satisfied the Minds of those who meant well and explaind some things relating to Mr —— which were new & surprising to them. I console myself that those who try to injure me (I must not call them Enemies) are obligd to fabricate malicious Falshoods for their purpose.

"Tell my Friend Mr S. that I will answer his Letter the next post. In the meantime ask him whether a Christian is bound to confide in the Man who has attempted seven times (though in vain) to ruin him."

Marine Committee to Pablo Palmero

Sir

October 26th. 1778

We have received your Letter dated the 16th September advising your arrival in Georgia with despatches for Congress from Mr. Pollock at New Orleans which have come safe to hand.

We are sorry the Boat you came in is so very small as to render it too hazardous to return in her. We have given Instructions to

Abram Livingston Esquire our Agent at Charles Town to furnish you and your people with the means of returning to New Orleans which at present is all we can do, not having it in our power to comply with your wishes by giving you the command of a Privateer.¹

Mr. Livingston will settle and pay your wages and that of your Crew according to agreement you made with Mr. Pollock.

We return your thanks for the faithful and punctual delivery of your despatches and wishing you a Speedy & safe return.

We are sir, Your very Hble servts

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book). Addressed: "Captain Pablo Paulis Palermo at Charles Town So Carolina." Little is known of the recipient of this letter, but his signature on the letter he wrote to Secretary Charles Thomson December 10, 1778, clearly reads "Palmero." PCC, item 36, 3:515.

¹ The Marine Committee's October 26 letter to Abraham Livingston directing him to furnish Captain Palermo "with the means of returning to New Orleans," is in Paullin, *Marine Committee Letters*, 2:20-21.

Gouverneur Morris to George Washington

Dr General.

Philadelphia 26th Octr. 1778

I received your Favor and return you Thanks for it.¹ The Conduct which the Enemy may pursue with Relation to us is not quite decided. But I have not a Doubt but their Efforts during the next Campaign will be chiefly towards our Frontiers with a View to weary us into Submission. At the same Time they will perhaps endeavor to keep such Posts in our Country as to render the Communications tedious, difficult and expensive. My Ideas as to our Power of carrying on the War differ in some Respects from those whose Opinions I respect. The Resources of the Country may be drawn forth by our Paper at the same Time it must be confessed that this Paper will thereby be less valuable. After all the Debt does not increase for a certain Sterling Sum which would have paid it one Year ago will pay it now. The Depreciation in the Interim hath operated as a Tax.

I very sincerely lament that this Tax hath fallen heavy on those who have served and continue to serve their Country. It is a peculiar Hardship upon us that fully to relieve the Evils they labor under is not in our Power. This leads me To the Petition you mention or Representation which I have not yet seen and never wish to see.² I cannot easily express to you how much I was hurt at being informed of it. Not indeed as to the Matter for that I really am a Stranger to but as to the Manner in which it was procured. For in the first Place it gave my Enemies (and who were so in some Degree for my earnest Support of the Claims of the Army heretofore) no small Cause of Triumph. This say they is the Consequence of your Zeal for an

Establishment. Besides this I considered myself in some Degree as an Advocate for the Army. I loved them from an Acquaintance with some Individuals and for the Sufferings which as a Body they had bravely and patiently endured; and therefore I could not but suffer when I found them taking Steps which In my Opinion cannot do them Honor and which incapacitated me from urging as I otherwise should have done every Redress in our Power to their Grievances. But what chiefly affected me was that this Meeting of Delegates from Brigades in a Mixture of civil and military Capacity carries with it the Air of deeper Design than I believe is in the Bosoms of those who were immediately concerned. It was by Proceedings such as these that the good Fairfax made Way for a crafty Cromwell and that he dismissed a tedious Wrangling Parliament and established a military Despotism. It is a melancholy Evil that when once Faction takes Possession of the human Heart men are hurried into Extremes which make considerate People tremble. I will not do your Army the Injustice even to permit a Thought that they wish to get Rid of their General. But Sir their and your and our Enemies do not want the Confidence to say so and indeed to say they can prove it and to attempt that Proof from the Manner of proving (Agitating as they term it); the Petition in Question. Certainly could such Ideas be inculcated it would answer th[eir] Views. It would also answer their Views to instill into the Army a Distrust of Congress and therefore I doubt not but the Enemies of both are assiduous in this Business. I find also the British commissioners are so barefaced as to hold out the Bait of Promotion in the Royal Army to such as will fall in with their Designs and doubtless a peculiar Portion of their Bounty will be disposed to those who shall sow the seeds of Dissention in an Army which as they cannot conquer it is their only Resource to divide.

Thinking on this Subject as I do it did and does appear to me my Duty as a good Citizen thoroughly to discountenance every Measure of this Kind particularly when it is ushered as the first Mention of this Affair was to me by an Observation that the Army had it in their Power to do themselves Justice. It makes me unhappy to learn that such Discourse prevails. I am certain those who use it have no Design but they should consider that it affords Matter for the Design of others to work upon. It has not made any serious Impression I believe on the Mind of those whose opinions have real Weight because it is considered as one of those light Expressions which flow from the Luxuriance of Imagination. Little do those who say such things know the Difficulties of subsisting an Army.

The Marquis will hand you a Plan &ca on which I shall say Nothing because I have already had a great Deal of Trouble with it and he can say more than I could write in a Week and you know more of the Subject than all of us.³

We have no News. Let me then tell you what has the Merit of Truth if not the Charms of Novelty. That I am Dear General, very sincerely yours,

Gouv Morris

[P.S.] General Lee's Affair hangs by the Eye Lids. We spent one Day upon it without even touching on the Merits. The Debate was in what Manner to proceed to a Decission. Some contended for the Propriety of resolving simply to approve or disapprove of the Sentence. Others for entering into the Consideration of the Charges and the Evidence on them separately without however making an Entry on the Minutes. A third for doing this and making the Entries. This as the most systematic Method I supported for truly I know not how to determine in the Lump. Granting him guilty of all the Charges it is too light a Punishment. And if he is not guilty in the Opinion of Congress of any one there would be an Injustice in not declaring their Opinion.

Conway hath again applied for a Certificate of his good Services and I have again opposed the Grant of it. His Letter lies on the Table.⁴ Again my Friend Adieu.

Pray Excuse me to Generals Greene and Schuyler for not Writing by this Opportunity. Upon my Honor I have so many Things to do that I am much distraight. Tell Genl. Schuyler however that I shall build if possible the Decission of his Business on that of Genl. Lee. You must contrive some means of quartering your Cavalry at a Distance from the Army. It seems to me all the poor Horses should be turned into good Pastures. Could not some Expedition be carried on agt. the Indians. Suppose for Instance Count Pulaski were sent to *chargé* [. .] them. It might indeed cost him his Night Cap.

RC (DLC: Washington Papers).

¹ Washington's October 4 letter to Morris, in which he acknowledged a September 8 letter from Morris (which has not been found), is in Washington, *Writings* (Fitzpatrick), 13:21-23.

² The most recent efforts of the Committee of Arrangement to settle the rank of officers had soured morale and produced four protest memorials, which were prepared at meetings of officers held on September 9 and 12 and dated September 13, 1778. These memorials, differing only in the signatures affixed to them, were forwarded to Congress in a September 22 letter from Cols. William Davies, Daniel Morgan, and Otho Williams. Among the grievances specifically cited, the officers seemed especially concerned over the exclusion of supernumerary officers through recently proposed rearrangements in the Continental battalions, the failure of Congress to adopt a half-pay plan, and continued neglect of their clothing and medical care.

The fact that Congress did not take up the memorials until October 20—at which time they were ordered “To lie on the table, until Congress have fully considered and determined on the report of the committee of arrangement”—is explained by the fact that they were apparently mislaid for a time before they were presented to President Laurens. The details of this misadventure are not known, but some of the circumstances involved in the delay can be seen in Laurens' endorsement of

the covering letter: "Cols. Morgan, Williams and Davies. Camp 22 Sepr 1778. D[elivere]d me with other Papers by Mr. Griffin as from Mr. Harvie who had left them in his hands. In Cong. 19 Octob 1778." See PCC, item 41, 7:191-205; *JCC*, 12:1025-26; and Washington, *Writings* (Fitzpatrick), 13:22-23. Additional information on the officers' protest is also contained in the record of their September 9 and 12 meetings (signed "Dan. Morgan, Prest., Otho H. Williams, clerk"), preserved in the Gilmore Papers, MdHi, and in Maj. John Taylor's October 9, 1778, letter to Gen. William Woodford, in the Peter Force Collection, DLC.

³ See Committee for Foreign Affairs to Washington, October 27, 1778.

⁴ See *JCC*, 12:1020.

Josiah Bartlett to John Langdon

Dear Sir

Philadelphia October 27th 1778

In Reading the Several letters & other Publications of the Brittish Commisrs, you will observe that they are Constantly Endeavouring to make people on both Sides the water, Believe, That Congress Have Exceeded their powers in Rejecting their (the Commisionrs) offers of Reconcilliation & Entering into an Alliance with France; and that in both of these instances The Congress had acted Contrary to the Sentiments of their Constituents. Whither they are really Deceived by the Tory accounts they Receive from the Several States, Or whither they mean to Deceive others, I am not Certain; But of this I *am* Certain, that So long as Brittain has the Smallest hope Remaining of these States Submitting again to her Domination, She will never Recognize our Independance & Consequently the war must Continue. It is therefore our interest to Convince Brittain & Every Body else, that the French Alliance and the Rejection of the Brittish Commisrs offers of Reconcilliation are universally approved of by these States: For this purpose I Should think it would be proper for the legislatures of the Several States in this union (as of their own motion without the advice of Congress) to pass Resolves Signifying their Approbation of those measures: And in order effectually to Cut off All their pretences for applying to individual States or persons, To Resolve that the Congress of the united States are Solely vested with power on our part for Contracting foreign Alliances, for making & Conducting war & for Restoring peace, and that They & They only have full power for making peace with Brittain on the principles of our absolute Independance & not other wise; and that these States Repose Entire Confidence in them for those purposes.

If the Several States would carefully Draw up & unanimously pass Such Resolves, publish them to the world in the public newspapers and Send attested Copies to their Delegates in Congress to be made use of as occasion might Require, I am persuaded that it would effectually cut off all the hopes our Enemies may Still Entertain of their

being able to Devide & flatter us into Submission, And as they are now Convinced that they are not able to Conquer us by force, I Doubt not Such Resolves would greatly facillitate their acknowledging our Independance and offering us reasonable terms of peace.

I Believe Such Resolves will be passed by Several of the Legislatures, and as our Assembly will likely be Seting when you Receive this, I thought proper just to *Hint* the matter to you for your Consideration.¹ In the Enclosed papers you will find the Remarks of *Common Sense* on the Commisionrs Manifesto, also a Geneuine petition of the Refugees in New York to the Commisrs. The petition appears so ridiculous that I Should not have believed it Geneuine had we not had the best proof of its authenticity.

You have heard I Doubt not that Mr Simpson² has the Command of the Ranger & that she together with the Boston & Providence may be hourly Expected at Boston.

As my power of Representing the State will Expire next Saturday, I expect to set out for Newhampshire the Begining of next week and hope proper Care will be taken to Keep up a Representation here.³ I am Sir with great Respect, your most Obedient Servant,

Josiah Bartlett

RC (Nh-Ar: Weare Papers).

¹ Langdon apparently took Bartlett's "Hint," and in his capacity as speaker of the New Hampshire Assembly may have introduced a resolution declaring the state's approbation of Congress as Bartlett recommended. In any event, the assembly passed just such a resolution on November 17, 1778, "signifying that they highly approve of the conduct of the American Congress in rejecting the offers of the Commissioners from the King of Great Britain; and also their conduct in making Warr or Peace, and in making alliances with any Nation or Nations, as Congress shall see fit." *N.H. State Papers*, 8:803-4. Since Bartlett's letter is located in the Meshech Weare Papers, it also seems probable that Langdon passed the document on to President Weare in his effort to enlist broad support for the measure.

² Thomas Simpson (ca. 1728-84), a Portsmouth, N.H., sea captain and brother-in-law of John Langdon, had served as first lieutenant of the *Ranger* with Captain John Paul Jones during its famous voyage to Great Britain. Simpson became captain in July 1778 when Jones was appointed to command a larger ship while the frigate was at Brest, France. Bartlett, *Papers* (Mevers), p. 231n.2; and William J. Morgan, *Captains to the Northward: The New England Captains in the Continental Navy* (Barre: Barre Gazette, 1959), pp. 134-36.

³ This day Bartlett also wrote the following brief letter to his wife on the subject of his plans for returning home:

"As I Expect to Set out this Day week for New Hampshire, I thought when I wrote you last week I should not have sent you another letter from this place, but as I am not quite certain, I Send this just to inform you that I am well and that I now Expect to leave this place next Tuesday unless the arrival of one Delegate alone before that time should hinder me a week or two longer. I have not Recd any letter from you Since yours of the first of this month. I Shall tarry till after the arrival of the next post to Receive any letters you may have Sent Since that time.

"The inclosed papers will inform you of all the news here at this time. I had

Some thoughts of purchasing & Bringing home some few things but the prices are so Extravagant & the Distance So Great that I have laid aside that design and Shall be glad to get home with the Cloaths I Brought with me." Watt Collection, NhHi.

Bartlett actually did leave Philadelphia as predicted the following Tuesday, the day before his replacement, William Whipple, arrived on November 4. See Whipple to Meshech Weare, November 24, 1778. A copy of Bartlett's expense account for the period May 25 to November 3, 1778, and a brief narrative account of his attendance at Congress are in the Bartlett Papers, NhHi microfilm.

Committee for Foreign Affairs to George Washington

In Committee for foreign Affairs
Philadelphia Octr. 27th, 1778

Sir,
Congress having resolved upon the Expediency of attacking Canada the next Campaign, in Conjunction with the Forces of his most Christian Majesty; and a plan for that Purpose having been reported to Congress; We are directed to send both the Resolve and Plan to You.

The latter of These we are to request your Observations upon previous to its being sent to Doctr. Franklin for the Consideration of the Ministry of France.

Be pleased therefore, Sir, to inclose the Plan with your Observations to Doctor Franklin by the Marquis dela Fayette.¹

We have the honor to be with much Esteem & Regard, Sir, Your very humble Servants,

Richard Henry Lee

James Lovell

RC (DLC: Washington Papers). Written by Lovell and signed by Lovell and Lee.

¹ At the vigorous urging of Lafayette, and after consultation with the French minister Gérard, Congress on October 20 had resolved to instruct Benjamin Franklin to submit the enclosed plan for a joint Franco-American "Attack Upon Quebec" to the French ministry. The same day Congress voted to ask Washington "to make such observations thereon as to him shall appear proper." JCC, 12:1042-48, 1052-53. The enclosure is in the Washington Papers, DLC.

Washington's lengthy November 11 reply opposing the plan, which John C. Fitzpatrick described as one of the most important letters he ever wrote to Congress, is in Washington, *Writings* (Fitzpatrick), 13:223-44, where extensive quotations from two drafts of the letter have also been printed to underscore the seriousness with which the commander in chief regarded the proposal. His "observations" were read in Congress on November 19 and referred to a committee, which submitted a report that Congress adopted on December 5 expressing its "Approbation" of "the Reasons assigned by the General against an Expedition to Canada." This action did not immediately lay the issue to rest, however, and it subsequently became "the principal subject" of a conference held by Washington and a committee of Congress when the general came to Philadelphia in late December. But it was quietly buried after Congress adopted a resolve on January 1, 1779, deferring further negotiations between Congress and France on any invasion of Canada "till circumstances shall

render the co-operation of these states more certain, practicable, and effectual." *JCC*, 12:1147, 1190-92, 1250, 13:11-14. See also Washington, *Writings* (Fitzpatrick), 13:388-91, 459-61; Louis Gottschalk, *Lafayette Joins the American Army* (Chicago: University of Chicago Press, 1939), pp. 284-315; President Laurens to Lafayette, December 6, 1778; and President Jay to Lafayette, January 3, 1779. Gérard's consultation with members of a committee of Congress on the subject of the Quebec plan is discussed in his correspondence with Vergennes, Gérard, *Dispatches* (Baisnée and Meng), 59:121-45; and in his October 17, 1778, entry in the "Minutes of the French Legation in the United States, 1777-95," 2:20, Mason-Franklin Collection, CtY (and DLC photostats).

John Henry to Thomas Johnson

Dear Sir

Philadela. Oct. the 27th. 1778.

A considerable Detachment consisting of the new levies left New-York the beginning of last Week. It is believed they sailed directly for the West Indies.

By a letter recd. from Lord Sterling yesterday Morning it appears that the Troops on Staten Island are ready to embark and only wait for the return of part of their Regiments sent on the late Expedition to Egg Harbour. They are destroying their fortifications which puts it out of doubt, that they do not mean to hold that Island this Winter.

I should be obliged to you Sir to inform me whether the State has any cloathing for their Officers. Their Wants are great and distressing, and unless they are supplied it will be out of their power to continue in the Service. Some of them, I am told are at this time so circumstanced, that unless they have speedy relief it will be impossible for them to do their Duty. To purchase out of their pay would leave them pennyless for eight Months in the year—A suit of cloaths will cost them seven or eight months pay, and when obtained will not last them above five months; in this way many of them have spent their patrimonies and unless they can now find some resources in the public Benevolence, they must leave a Service in which they can no longer exist. If there are any Measures which can be fallen upon, in which I can be of Service, I should be happy in affording every assistance in my power. Would it not be a desirable thing to know the real State of the officers by sending some person to Camp for that purpose. The Men I expect will be provided for; fifteen thousand compleat Suits I am told are now on the way to camp, and materials sufficient in hand to Cloath the whole army.

I am Sir with great respect to you and the Council, your obedt. and hble Servt.

J. Henry Jun.

Henry Laurens to Don Diego José Navarro

Sir

Philada. 27th October [1778]

Your Excellency's Letter of the 11th of March last address'd to Congress in favor of Don Juan de Miralles, I had the honor of presenting to the House—the particular Affection which you were pleased to express therein for Don Juan, has been justified by his honorable deportment during his residence in these States.¹

It cannot but be pleasing to your friendship to be told that the influence which Your Excellency's Recommendations naturally convey has, in this instance, been rendered little necessary by the Claims of the personal merit of Don Juan.

The United States of North America desire Peace and harmony with other Nations and they particularly consider the prospect of a friendly intercourse between the Subjects of his Catholic Majesty and their own inhabitants as a great Branch of their future felicity.

The kind Prayer which you have made for our preservation we beg leave to retort in sentiments of the utmost cordiality. I have the honor to be &c &c &c ²

LB (DNA: PCC, item 13). Addressed: "His Excellency Don Diego Joseph Navarro, Governor and Captain General of the Island of Cuba, &c. &c. &c. at Havana." Endorsed: "Delivered by M. Young to Don Juan de Miralles."

¹ Navarro's March 11 letter to Congress is in PCC, item 78, 17:47–50. For Miralles' mission to the United States, see Francis Lewis to John Langdon, June 12, 1778, note.

² At the foot of this letter Moses Young wrote: "Duplicate deliver'd Don Juan de Miralles 12th November." This "duplicate" is in the Sol Feinstein Collection, DLC microfilm.

Richard Henry Lee to Arthur Lee

My dear Brother,

Philadelphia Octr. 27th. 1778

The Marquis Fayette left us to day for Boston where he is to embark. This letter will follow him with our dispatches. I wish that a true friendship may take place between you and the Marquis, because I discern in this young Nobleman those principles that I think cannot fail to render him a great Man. And his virtue is such as will make him superior to all those mean and selfish considerations which mark too many. The {disgusting arrogance?} ¹ of our {enemie}s is such as {require}s on our {part} the greatest {circumspection}. Even {virtue} will not do alone, the strictest {appearance} must accompany this, where enemies are numerous, wicked, and inquisitive, and where the most laudable actions may be misinterpreted, and by the artful mixture of innocent truth with much falsehood, can impose on weak

minds and such as are more than half willing to be imposed on, infinite care is necessary. I am much mistaken if your honest zeal in your Countries cause concerning the {unexecuted article}s of the {treaty} will not be diligently both from {hence} and with {you} be used to {ruin} you with the {court} of F____e.² Will it not be well, besides taking other wise precautions, to speak to the {minister}³ with the candor, firmness, and sincerity, on this subject, that becomes a Man concerned in the wellfare of his Country? The whole tribe of wicked ones at Passy and all their Coadjutors will be employed in this nefarious business—But a sensible and virtuous Minister will esteem the integrity of a Man who faithfully discharges his trust by seeing and pursuing the interest of his Country, in the Station you have been in. The wickedness of Deane and his party exceeds all belief, and must in the end fail them notwithstanding the Art with which they clothe themselves. The wicked and some weak can alone support them. No Man knows better than Deane how to avail himself of the glare cast around him by the favor of the Great, which mere circumstances, not his merit or his virtue have procured him. This Wretch would rise upon the ruin of the first, the firmest, and most uniform friends of this Country and of France. But I trust all his Manoeuvres will fail him. If you have time it may be well to give his papers to Congress, which are now sent you,⁴ a well considered and well established refutation—I can detect, as I read it, numerous falsehoods and sophistry.

Give my respects to Mr. Izard and tell him I greatly admire his spirit and good sense. Remember what I have written you about Ludwell, my bark, & Spectacles. Let the Alderman know that his affairs at Green Spring are under the care of an Able Stewart.

I am most sincerely and affectionately yours,

Richard Henry Lee

P.S. I hope our affairs in Spain have eer this had taken so favorable a turn that you will be presently repairing to that Court. The affairs of finance have, with other adventitious business, so engrossed us, that we have not yet been able to take up our foreign Affairs, which will presently be done upon a large Scale. I am going to Virginia in a few days, and expect our brother Frank here to take my place.

R.H.L.—

RC (NjMoHP).

¹ Words printed in braces in this text were written by Lee in cipher.

² That is, France. For evidence that Arthur Lee's standing at the French court was indeed being undermined "from hence," see Conrad Alexandre Gérard's October 17, 1778, letter to Vergennes in Gérard, *Dispatches* (Baisnée and Meng), 58:303.

³ That is, the comte de Vergennes, French minister for foreign affairs.

⁴ See Committee for Foreign Affairs to Arthur Lee, October 29, 1778.

James Lovell to John Adams

[October 27, 1778]

P.S. 27th. I find Congress has determined on something relative to Doctr. Franklin. Your Situation becomes the next immediate Object.¹ I will go abroad this Day tho little fit for Business. Your Honor and Happiness are dear to me and to many others. The Delay of republican assemblies is the only Thing against you. Your Character is esteemed. Your Ideas of distributing the Gentlemen abroad are the ruling Ideas here, and will be carried into Effect I am certain. I wish you had been as free in hinting your own Inclinations as some of the other Gentlemen have been. I doubt not your cordial Endeavors for friendly Intercourse with the different Commissioners, recommended by a Resolve of the 22d.² (as before) yr. JL

RC (MHi: Adams Papers). A continuation of Lovell to Adams, October 24, 1778.

¹ For the appointment of Benjamin Franklin as the sole commissioner to the court of France and the reassignment of some of the American representatives abroad as a consequence of that appointment, see Samuel Adams to John Adams, October 25, note 2; and Committee for Foreign Affairs to Benjamin Franklin, October 28, 1778.

² See Committee for Foreign Affairs to John Adams, October 28, 1778, note 1.

Marine Committee to the Eastern Navy Board

Gentlemen

October 27th 1778.

Since our last of the 25th instant we have been favoured with yours of the 15th by Captain Barry with the sundry enclosures therein mentioned. We have now to desire that you will with all expedition prepare a frigate to carry despatches to France and we would prefer the Alliance to any other if she can be fitted in time so as not to detain the Marquis De Lafayette and his suit who are to take their passage in her and for whom you will Order proper Accommodations on board. She should be well cleaned & get a Tallow Bottom before she leaves the Port. As the Marquis is A Nobleman of France highly esteemed by Congress as a Zealous and able friend to the American cause we desire you will give Instructions to the Captain to treat him with All possible respect, and not leave his course to Cruize during the passage. You will also instruct the Captain on his Arrival in France to send forward the enclosed Letters to the Honble Benjamin Franklin Esqr Minister Plenipotentiary of the United States at Paris and to inform him of his arrival. He is immediately to apply to the American Agent at the Port in France where he may arrive for any Supplies or necessarys for his Ship and get ready to follow

such orders as he may receive from Docter Franklin which he is to obey.

We shall very shortly transmit you a Supply of Money for the use of your Department and are Gentlemen, Your Hble servants

P.S. We have determined that Captain Joseph Hardy shall command the Marines on board the New frigate Confederacy; you will please to order him accordingly.

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

Marine Committee to Benjamin Franklin

Honorable Sir, Philadelphia October 27th. 1778.

This will go by a Continental Frigate from Boston which Congress have ordered to carry their despatches as well as to accommodate the Marquis de la Fayette and his Suit with a passage to France. The Captain will on his arrival immediately inform you thereof, and we have directed that he git his Vessel in readiness to follow any Orders which you may think proper to give which Orders he is to Obey.

Should you send him back with despatches he will take in any Stores for the use of the States that may be in readiness at the Port where he may arrive, so as not to incommode the sailing or fighting of his Vessel.

We have the honor to be, Honourable Sir, Your most Obedt. servants.

Richard Henry Lee Chn.

P.S. As the Marquis de la Fayette may have occasion to write by the return of this Frigate, please to let him have timely notice.

R.H. Lee¹

RC (CtY: Franklin Papers). In the hand of John Brown with signature and post-script by Lee.

¹ Lee also wrote a letter on behalf of the Marine Committee the following day to Maryland Gov. Thomas Johnson in consequence of an October 27 resolution of Congress directing the Marine Committee to notify the state that a French consul had been appointed for Maryland. *JCC*, 12:1066. Lee's letter has not been found, but an extract of it, printed when it was auctioned in 1926, reads: "that the Chevalier D'Annemours is commissioned Consul of France at the Port of Baltimore and other ports in the State of Maryland by the Minister Plenipotentiary of his most Christian Majesty to the U. S." *Thomas F. Madigan Catalog*, February 1, 1926, item C-44. For Ambassador Gérard's temporary appointment of the chevalier Charles-François-Adrien Le Paulmier d'Anmours (1742-1807), whose jurisdiction was extended to include Virginia, the two Carolinas, and Georgia when the French government made the appointment permanent in 1779, see Kathryn Sullivan, *Maryland and France, 1774-1789* (Philadelphia: University of Pennsylvania Press, 1936), pp. 54-55.

Roger Sherman to Jonathan Trumbull, Sr.

Sir

Philadelphia Octr. 27th. 1778

The great affairs of Finance, and the Clothing Department are yet unfinished—the delay of these important matters gives me great anxiety. I have used my utmost endeavours to forward them. I wish another Delegate might be immediately sent from Connecticut—was in hopes Col. Dyer would have come before now. The Committee appointed to consider your Excellency's letter respecting the late Commissary Trumbull's affairs, have not yet made report, tho' I understand they are ready when Congress can receive it. I dont know what their Report will be. The affair of the currency is to be further considered to day.¹ The members in general seem to be at a loss what can be done to restore its credit. The plan that appears to me most probable to be adopted, is to recommend to the Legislatures of the several States immediately to pass acts to raise by taxes about five millions dollars annually for eighteen or twenty years, as a sinking fund, sufficient for the redemption of all the Bills and Loan Office certificates, to take out of currency about fifty millions Dollars by loan, to lay a tax of about twelve or thirteen millions dollars for the expence of the next year; and if further emissions are necessary; that additional funds be provided for sinking them within the time limited for sinking those that are now outstanding; so that the possessors of the Bills and lenders of money be able to make a just estimate of the value of their securities.² A note for £100 on compound interest, payable at the expiration of 20 years would be equal to one for £321 for the same term without interest. If the Bills of public credit, so far as they exceed a sufficient quantity for a medium of trade, are to be considered only as securities for money without interest, rebating the compound interest for the time before they are redeemable will determine their present value, and they will gradually appreciate as the time of their redemption approaches. Enclosed is a computation of the annual increase of £100 for 21 years on compound interest. I wish to be favored with your Excellency's opinion on the best mode of establishing the credit of the currency. I expect that it will be referred to the several States to clothe their quotas of the army for the future, and that the Continental clothing on hand, and which may be imported in consequence of orders already given will be divided to the several States in some just proportion.

There has been a late embarkation of troops at New York, but we dont yet learn their destination. We hear they are leaving Staten Island. Some think they are about to abandon New York and leave the country. Others conjecture they will make an attack on Boston, and attempt to destroy the French fleet.

We have no late advices from Europe—no letter from Mr. John Adams in France has been received of later date than last May.

I am with the greatest Respect and Esteem, Your Excellency's
Obedient humble Servant,
Roger Sherman

Tr (DLC: Force Collection).

¹ Sherman was a member of the committee appointed on October 13 to bring in a revised report on finances, which was presented to Congress on October 28. His work on that committee can be seen in the following amendment, in his hand and located in the committee's papers, which was apparently rejected by his colleagues: "That the Several States be called upon to provide Funds to the amount of *(one, two)* three Million Dollars annually for Six years next ensuing for Payment of Interest of the Monies borrowed & ordered to be borrowed on the Credit of the United States." See *JCC*, 12:1007-8, 1073-75; and *PCC*, item 26, fol. 30.

² The figures supplied by Sherman in this analysis of "the plan that appears to me the most probable to be adopted" provide a rare glimpse into the course of the congressional debate on fiscal policy during the autumn of 1778. That debate is difficult to follow in the official record, and the correspondence of the delegates contains few specific details such as Sherman provided here for Trumbull. The journals adequately identify the fiscal report, drafted by Gouverneur Morris, that was read in Congress on September 19, and Worthington C. Ford printed a revised report, drafted by Elbridge Gerry on behalf of the committee to which Morris' draft had been recommitted on the 13th, under the date October 28. Although the precise date of Gerry's draft is not known, it seems safe to assume that it had been written before Sherman penned the present letter.

Additional information on this poorly understood subject is contained in a third draft committee report, a copy of which is in the Laurens Papers at PHi, but no clues to its date or authorship have been found. Little can be established beyond the fact that it was copied by Laurens' secretary Moses Young. Since it is identified as the work of the "Committee to whom it was referred to re-consider and Report on the Currency and Finances of these United States," and is found with copies Young also made of the above-mentioned Morris and Gerry drafts, however, it seems clear that it was a product of the same committee. Because it reflects the structure of the Morris draft rather than that of Gerry's, it may have been written soon after the former was recommitted and before Gerry produced a more fundamental revision of Morris' work.

"Your Committee to whom it was referred to re-consider and Report on the Currency and Finances of these United States having had the same under consideration have come to the following Resolutions which they have directed me to Report.

"Whereas it is become absolutely necessary to regulate the Finances of the United States by providing Funds for the certain and speedy redemption of the Paper Currency now in circulation, and placing the Public Credit on a more safe and permanent foundation.

"Resolved, That it will be proper to call on the several States to provide Funds for the payment of their respective Quotas of 8,000,000 of Dollars annually for fifteen Years, clear of any deduction, to commence on the first day of January 1780, as a sinking fund.

"2. That it will be proper to borrow 80,000,000 Dollars on Loan Office Certificates, including the sum already borrowed, at six per Cent Interest, redeemable after four Years or at the end of twelve Months from the date hereof according to the state of the Treasury, in Specie or Paper Bills at the pleasure of Congress.

"3. That no Loan Office Certificates issue out for any sum less than 500 Dollars.

"4. That the several States be called on to provide Funds for the payment of their

"10. That two Committees be appointed to go to the Northward and Southward to negociate with the Legislatures on the following Points.

"1st. to accede to the Confederation.

"2. to the several Propositions relating to Sinking Funds.

"3. to the Proposition for a Fund of 2 per Cent Duties."

John Williams to Robert Burton

Dear Sir

Philadelphia 27th Octr. 1778

The Enemys fleet of a hundred & forty Sail of Transports with about ten thousand Troops on board Sailed from New York this day week & more it is Said are preparing to take on Board other troops—the above Sailed in company with Sixteen of the [line] & twelve frigats, as yet their Distination unsertain. Some Suppose they Intend for the West Indies, Some think to Charleston South Carolina & others to Boston, [...] of their going to the latter prevails among many, and the Idea is as Much Reprobated by others, I Suppose Something will transpire in a few days which will determine their object. Whether they Intend to Evacuate New York altogether, or to Keep a Garrison there is also incertain and the different Reports by no Means Serve to determin, Some are that they are distroying their fortifications on Staten Island, others that they are building Barracks Near Kings bridg, other Reports are that forts Washington & Independance are Evacuated by the Enemy & now in our possession tho' this wants confirmation. I have wrote you Many letters since I arived at this place tho' have not had the pleasure of Receiving any from you Except one of the 14th Augt. the Recept of which I have before Acknowledged—from the great Depretiation of the Currency & the Rapid rise of Every thing here am Induced to think it has had the Same Effect in our State & that from that Circumstance Mrs. Williams May probably want Some More Money than what I left with her when I left home—if so please furnish her with what she May want it Shall be replaced on my return. I need not ask you to render her Every other assistance she may Stand in need of in My Absence, please to present My love to Magg & the two little boys and tell them I intend to Eat My Xmas dinner with them at furthest for I assure you I am heartily wearied of this place. My Compliments to all friends & am Dear Sir yr. Sincear friend & very Hble Sert.

Jno. Williams

RC (NcU: Burton Papers). Addressed: "To Colo. Robert Burton, Granville County, North Carolina."

Committee for Foreign Affairs to John Adams

In Committee for foreign Affairs
Philada. Octr. 28th, 1778.

Sir,

While we officially communicate to you the inclosed Resolve,¹ the Foundation of which you can not remain a Stranger to, we must entreat you to be assiduous in sending, to those Commissioners who have left France and gone to the Courts for which they were respectively appointed, all the American Intelligence, which you have greater opportunity than they to receive from hence, particularly to Mr. Izard & Mr. Wm. Lee. We do not often send more than one Set of gazettes by one Opportunity, and we hear of several vessels which have miscarried.

Congress must & will speedily determine upon the general Arrangement of their foreign Affairs. This is become, so far as relates to you, peculiarly necessary upon a new Commission being sent to Dr. Franklin. In the mean Time we hope you will exercise your whole extensive Abilities on the Subject of our Finances.² The Doctor will communicate to you our Situation in that Regard.

To the Gazettes and to Conversation with the Marqs. Dela Fayette we must refer you for what relates to our Enemies; and close with our most cordial Wishes to your Happiness, Sir, Your affectionate Friends,

Richard Henry Lee

James Lovell

RC (MHi: Adams Papers). Written by Lovell and signed by Lovell and Lee.

¹ For Congress' October 22 resolve directing the representatives of the United States at the various courts in Europe to cultivate "harmony and good understanding" among themselves, see *JCC*, 12:1053-54.

² Congress did not appoint Adams to another post until after he returned to the United States in August 1779. The following month he was appointed "minister plenipotentiary for negotiating a treaty of peace and a treaty of commerce with Great Britain." *JCC*, 15:1113.

The "subject of our finances" was detailed in a separate instruction that was sent to Franklin, for which see the next entry.

Committee for Foreign Affairs to Benjamin Franklin

In Committee for foreign Affairs
Philada. Octr. 28th, 1778.

Honorable Sir,

As the Marqs. Dela Fayette will deliver this, we refer you to his Conversation in addition to the Gazettes for an Account of the Movements of the Enemy. He will doubtless gain some further Knowledge of them before he leaves Boston than what we are now pos-

sessed of. We shall speedily have Opportunities of forwarding Duplicates & Triplicates of what he now delivers; and upon any material Event we shall dispatch a Vessel occasionally. Inclosed with other Papers is a Resolve of Congress of the 22d which we have officially sent to all the Commissioners. We must earnestly request that, as we shall have Opportunities of frequently conveying to you Gazettes and other Species of American Intelligence, you would strive to communicate, in the best & Speediest Way, to the Gentlemen at other Courts what they are alike interested to know that they may prosecute in the best Manner the Service of these States abroad.

An exact Copy of your Credentials is among the Papers herewith.¹

We wish you Success in this new Commission; and are with much Regard sir, Your most humble Servants, Richard Henry Lee

James Lovell

RC (PPAmP: Bache Collection). Written by Lovell, and signed by Lovell and Lee.

¹ Franklin had been appointed sole commissioner to the French court on September 14, but official announcement of Congress' decision was delayed by a number of related issues. Congress wished to decide assignments for the other American commissioners at Paris, John Adams and Arthur Lee, conclude its investigation of Silas Deane, and prepare new instructions for Franklin. Unofficial news of the appointment consequently reached France well before this committee letter was delivered, as Silas Deane's September 15 letter to Franklin reached Paris in late November. Adams, *Family Correspondence* (Butterfield), 3.123n.3.

Franklin's instructions, which were prepared by a committee chaired by Gouverneur Morris, were adopted on October 22 and 26 after an extended debate. In separate instructions, Franklin was urged to secure French support for a joint Franco-American attack on Quebec and he was directed to seek "very considerable loans or subsidies in Europe." See *JCC*, 12:908, 1039-52, 1064; Gouverneur Morris to George Washington, October 26, 1778; and Committee for Foreign Affairs to Washington, October 27, 1778. For the views of Conrad Alexandre Gérard, the French minister in Philadelphia, on Franklin's instructions, particularly those concerning the French fleet, the proposed invasion of Canada, and relations with Spain, see his letters of October 17, 20, 21, 25, and 26 to Vergennes in Gérard, *Dispatches* (Baisnée and Meng), 58:302-3, 59:121-42.

Committee for Foreign Affairs to Ralph Izard

Sir: In Committee, &c Philadelphia 28 October 1778.

It is unnecessary to say anything to you about the particular foundation of the enclosed resolve;¹ we hope you will experience good consequences from it in a point very interesting to you while in Tuscany. There, you certainly must depend greatly on our correspondents in France for American intelligence, which will be much more frequently sent from hence to them than to you. We shall injoin it upon them to furnish you, and particularly upon Mr. Adams while

he remains at Paris. Mr. A. Lee will communicate to you the purport of some papers which are sent to him, and in which you are jointly concerned. It is not possible for us at this time to send you extracts from them.² You will be pleased at knowing that the British Commissioners are convinced of the folly of their errand to America, and are returning home. It is probable that the British army will follow them Soon or at least go to the West Indies; of this however the Marquis de La Fayette, the bearer, may gain fuller information before he Sails from Boston. Tho a pressing load of other business has till this time prevented Congress from taking up the whole consideration of their Foreign affairs; yet that must be the speedy consequence of their appointment of Dr. Franklin, Minister Plenipotentiary at the court of France. All the papers of this Committee are on their Table, and we shall dispatch packets upon any material decision. In the mean time we wish you every Success, and are with much regard Sir, your Friends and humble Servants,

Signed, Richard Henry Lee

James Lovell

FC (DNA: PCC, item 79).

¹ See Committee for Foreign Affairs to John Adams, October 28, 1778, note 1.

² These consisted of copies of two October 12 Silas Deane letters to President Laurens plus Deane's commentary on Arthur Lee's June 1, 1778, letter to Laurens—all written by Deane to refute criticism of his public actions by Lee and Ralph Izard. See Committee for Foreign Affairs to Arthur Lee, October 29, 1778.

On September 25 Congress had agreed to provide Deane extracts of several of Izard's letters to President Laurens and to Benjamin Franklin, which were read in Congress on September 19, relating to Deane's "public conduct." Copies of Deane's responses to the criticisms of Izard and Lee were thus in turn made available to the latter. Apparently pressed for time, the committee provided these to Lee only, instructing him to make them available to Izard. See *JCC*, 12:935–36, 949, 980, 1010; Wharton, *Diplomatic Correspondence*, 2:477–81, 497–501, 531–33, 547–49; and *Deane Papers* (NYHS Colls.), 21 (1888): 4–21, 36–41.

Committee for Foreign Affairs to William Lee

Sir

In Committee &c, Philadelphia 28 Oct 1778

The enclosed resolve it is hoped will be productive of singular advantage so far as relates to you, who must depend greatly for American intelligence on your Connexions at Paris. Congress have been and are exceedingly loaded with business, and, of late, have met with some singular interruptions in the intended general arrangement of their Foreign affairs, so that they have yet only decided in respect to Doctor Franklin their Minister Plenipotentiary at the Court of France. Our first and most pressing business is the appreciation of our currency. This point accomplished our Enemies them-

selves will acknowledge their hopes of conquering us at an end. The British Commissions sent on a foolish and wicked errand to America are returning home completely disappointed, and there is reason from appearances, to think, that the Land forces of Britain are gradually withdrawing from these States. It is probable that the Marquis de la Fayette, by whom this Letter goes, will obtain in Boston further knowledge than we now have of the destination of a Fleet lately departed from New York amounting to about one hundred & fifty Sail. We Shall desire Mr. Adams to give you all possible information on the arrival of this Packet, and Shall soon dispatch other Letters from this Port. With hearty prayers for your Welfare we are Sir, your affectionate Friends,

Signed,

Richard H. Lee

James Lovell

FC (DNA: PCC, item 79).

Samuel Holten's Diary

[October 28, 1778]

28. Wednesday. The Congress spent some time this day considering the State of our money & finances,¹ which I find is very difficult to put upon a Just and respectable footing.

MS (MDaAr).

¹ See *JCC*, 12:1073-75.

Henry Laurens to Casimir Pulaski

Sir

28th October [1778]

Since writing my last to you under the 18th Instant I have had the honor of presenting to Congress your several favors of the 18th, 19th and 24th Instant.¹ The Board of War will take Measures for supplying the Blankets necessary for your Troops. I have receiv'd no other Commands from Congress but to transmit the inclosed Act of the 26th directing the Legion and all the Cavalry at and near Trenton to repair to Sussex Court House and wait the Orders of the Commander in Chief.²

I have the honor to be &c.³

LB (DNA: PCC, item 13).

¹ Pulaski's October 19 and 24 letters are in PCC, item 164, fols. 38-46.² *JCC*, 12:1061-62.³ This day Laurens also wrote brief letters to three aides of the marquis de

Lafayette—Edmund Brice, Presley Neville, and Philippe-Louis, chevalier de Failly—
notifying them of their promotions pursuant to resolves of Congress of October 27.
See *JCC*, 12:1068–69; and *PCC*, item 13, 2:136–37.

Committee for Foreign Affairs to Arthur Lee

Sir In Committee &c, Philadelphia Oct 29. 1778

Supposing it might import you to See the enclosed, it was proposed to, and agreed by Congress, that the papers Should be Sent you.¹ If you think expedient you will furnish Mr Izard with a Copy of them. The news papers contain all the intelligence of this place. We are your most obt Humble Servants,

Signed, Richard H. Lee
James Lovell

P.S. We add two resolves to the papers before alluded to. Mr. W. Lee and Mr Izard will greatly depend on you for American and other intelligence.

FC (DNA: PCC, item 79).

¹ For these enclosures, consisting of three Silas Deane documents rebutting charges leveled at him by Lee and Ralph Izard, see Committee for Foreign Affairs to Izard, October 28, 1778, note 2.

William Henry Drayton to William Alexander

My Lord Philadelphia Octr. 29. 1778.

I thank your Lordship for the honor of your letter of the 25th inst. I received it today. There was a circumstance in it which gave me pain: it was your making an appology for not having answered mine of the 12 Sept.¹ and my pain arose from a conviction that appologies were rather due from me to your Lordship for troubling you with that very letter.

I wonder in what kind of temper the Commissioners received your present to each of them by the Flag you mention;² or rather what kind of temper they were in while they were examining the nature of the present. If I could have stood invisable before them, I think I should have enjoyed their shrewed observations upon the occasion.

I have now furnished their Excellencies with some provision for their Sea store as I find they are going to England.³ However, I am afraid it will lie heavy upon their stomachs during the Voyage, but this circumstance is not imputable to me. They furnished the list of stores, & I have only provided them. The President tells me he will

furnish your Lordship with what I present to their Excellencies, depending upon it that they will reach their Excellencies hands by your conveyance.

I am with respect, Your Lordships most obedt. humble Servt.

Wm Hy. Drayton

RC (PHi: Gratz Collection).

¹ Not found.

² Alexander's "present" was probably Congress' October 16 resolve calling for the arrest of persons caught distributing the British peace commissioners' October 3 manifesto.

³ See Drayton's October 24 letter to the Carlisle Commissioners, which was published in this day's *Pennsylvania Packet*.

Henry Laurens to Horatio Gates

Sir

Philadelphia 29th October 1778

Your favor of the 13th Inst. inclosing Letters from Lord Balcarras reached me the 27th & was immediately presented to Congress.¹ The House had formerly heard with much concern that Officers of the Convention Troops had, contrary to orders, been permitted to go within the Enemy's Lines, & had ordered an enquiry respecting the Case, indeed it has been repeatedly said, that Gold had been given by several of those Officers in purchase of furloughs, particularly that Lord Balcarras paid to some body One Thousand Guineas for the indulgence granted to him—however groundless or otherwise this information may be, it is alarming at present, & therefore a further & more particular investigation is ordered.

The inclosed Act of Congress of the 27th Inst. & the Act of the 21st which is referred to will shew, in answer to Lord Balcarras's application the determination of the House.²

I have the honor to be, With the highest Respect & Esteem, Sir, Your Most obedient & most humble servant,

Henry Laurens, President of Congress³

RC (NHi: Gates Papers).

¹ Gates' October 13 letter to Laurens and Lord Balcarres' September 30 letter to Gates are in PCC, item 154, 2:15-22.

² Alexander Lindsay, sixth earl of Balcarres, a lieutenant colonel of the Twenty-fourth Regiment captured at Saratoga, had recently obtained a temporary parole exchange for Col. Robert Magaw of the Fifth Pennsylvania Battalion and was seeking permission to return to England under terms of the Saratoga Convention. His case had already been rejected by Congress with the explanation "that Congress do not approve partial and parole exchanges; but . . . are willing to make a general exchange of officers, whether of the convention or otherwise." Furthermore, since rumors continued to circulate that the parole of Balcarres and others under the convention had been obtained "in consideration of money paid and received,"

Congress appointed a committee "to investigate the truth of this information" and ordered President Laurens to write to the Massachusetts Council for assistance. See *JCC*, 12:1033, 1065; and Laurens' letters to John Beatty, October 22, and to the Massachusetts Council, October 29, 1778.

³ This day Laurens also wrote the following letter to "Captain Josiah Stoddard of the Light Dragoons at Camp," for which see *JCC*, 12:1066-67; and *PCC*, item 13, 2:138. "I had the honor of presenting Your Letter of the 20th Instant to Congress, in answer to which I am directed to transmit an Act of Congress of the 27th Instant for granting a compensation to Officers of the Light Dragoons for the extraordinary expence of their equipment, which Act you will receive under this Cover."

Henry Laurens to the Massachusetts Council

Sir. Philadelphia, 29th October 1778.

I had the honor of writing to you the 16th Inst by Brown.¹

Congress having been repeatedly informed that Officers of the Convention Troops had contrary to their Orders been permitted to go within the Enemy's lines in order to Negotiate parol Exchanges, or barely on parol, & that such indulgences had been obtained by Gold, have directed me to request the Honorable the Council of Massachusetts will be pleased to cause an inquiry to be made respecting such irregular proceedings.

Lord Balcarras one of the said Convention was a few days ago actually in New York attempting a Parol Exchange & it has been said, that he paid one thousand Guineas for a Permit. This however true or groundless is alarming.

Inclosed herein Your Honor will receive an Act of Congress of the 27th Inst. authorizing the present Address.²

I am with the highest Esteem & Respect, Honorable sir, Your most obedient & most humble servt,

Henry Laurens, President of Congress.

RC (M-Ar: Revolutionary War Letters). Addressed: "The Honorable Jeremiah Powell Esquire, President of Council, Massachusetts' Bay."

¹ See Laurens to Jonathan Trumbull, Sr., October 16, 1778, note 3.

² See preceding entry, note 2.

Henry Laurens to the Chevalier de Tousard

Sir. Philadelphia 29th October [1778]

I have the honor of transmitting within this Cover an Act of Congress of the 27th Instant for promoting you to the Rank of Lieutenant Colonel in the American Army by Brevet & for granting you a Pension of thirty Dollars per Month during your life in acknowledgement of your Merit & in consideration of your misfortune in the

loss of a Right Arm in the late Action at Rhode Island—the display of your Courage & Gallantry upon that occasion has gained you the highest applause & insured immortal honor to your Name.¹ Annexed to the Act you will receive the Brevet.

I intreat you Sir, accept my best wishes & be assured that my Esteem & Regard for you do not bear exact date with the affair at Rhode Island; Your Martial Spirit, your military talents, your services in the American Army, were known to me long before that event. I shall ever speak of them with pleasure & be one of your admirers. In these sentiments I have the honor to be, Sir, Your most obedient & most humble servant,

Henry Laurens, President of Congress.²

RC (Phi: Tousard–Stocker Collection). LB (DNA: PCC, item 13). RC damaged; missing words supplied from LB. Addressed: “Lieutenant Colonel Touzard, Providence.”

¹ Anne-Louis, chevalier de Tousard (1749–1817), had come to America with the controversial Philippe Du Coudray in 1777, and was one of the few of his followers who remained in America and obtained a Continental commission after Coudray's death. *JCC*, 8:606, 705, 9:877, 902–3. Congress was moved to grant Tousard this mark of recognition upon the recommendation of the marquis de Lafayette, for which see Lafayette, *Letters* (Idzerda), 2:197–98; and *JCC*, 12:1068.

² At the foot of this document the following note, in the hand of Benjamin Franklin, appears: “Being well-acquainted with the Hand of Mr. President Laurens, I do hereby certify that this letter is all of his hand-writing, and therefore an authentic Paper. Given at Passy, this 21st Day of February 1779. B. Franklin, Plenipotentiary from the Congress to the Court of France.”

Richard Henry Lee to John Adams

My Dear Sir,

Philadelphia Octr. 29 1778

I am exceedingly happy to hear of your safe arrival, and I hope agreeable accommodations at Paris. At first, I doubt not, the splendid gaiety of a magnificent Court, accorded not so well with the temperate manners of a sober Republican. But use reconciles most things. It may soon happen that you be desired to visit Holland, where I believe they yet retain much of that simplicity of manners which first raised that people to greatness. Our finances want the support of a Loan in Europe. 81,500,000 of dollars with increasing demands as depreciation advances with emission, cannot be cured by the slow working of Taxes. The latter is, I believe, deeply gone into by all the States.

I have seen your letter to our common friend Mr. S. Adams, and do most thoroughly accord with you in sentiments.¹ The battle of Monmouth in June last, and the subsequent arrival of Count d'Estaing has kept our enemies in pretty close quarters this Cam-

paign at N. York—The better opinion is, that they mean shortly to abandon that City. But where they intend next we are at a loss to guess. Indeed they have such a choice of difficulties, that it is not an easy matter for themselves to determine what course they shall steer. Never did Men cut a more ridiculous figure than the British Commissioners have done here. Their last effort is a formal application to each State, and to all the people in each, by a Manifesto sent in Flags of Truce. We consider this as a prostitution of the Flag, and have recommended the seizure and imprisonment of the people, and the publication of their Manifesto. In some instances, the Sea has saved us the trouble by previously swallowing up these silly Missives. I shall be at all times extremely glad to hear from you, being very sincerely dear Sir your affectionate friend,

Richard Henry Lee

RC (MHi: Adams Papers).

¹ See Samuel Adams to John Adams, October 25, 1778, notes 1 and 2.

Samuel Holten's Diary

[October 30–31, 1778]

30. Friday. This day Congress published a manifesto & ordered it to be sent to our enemies.¹ The weather is worse.

31. Saturday. Congress received a packet of letters from France, but there is nothing material.²

MS (MDaAr).

¹ For this manifesto denouncing "our enemies' . . . present career of barbarity" and threatening "exemplary vengeance, as shall deter others from a like conduct," see *JCC*, 12:1080–82; and Gouverneur Morris to Robert R. Livingston, August 17, 1778, note 4.

² The journals record that this day Congress read and referred to the Committee of Intelligence a letter from John Adams of August 12. *JCC*, 12:1084. The letter is not in *PCC*, but a copy of it is in Adams' letterbook, MHi.

Henry Laurens to the Marquis de Lafayette

30th October [1778]

I had the honor of presenting to Congress the day before Yesterday the Letter which you were pleas'd to leave in my hands dated the 26th Instant.¹ The House have directed me to repeat their assurances of their great Esteem and Regard for you, and that it is therefore with much regret and concern they are obliged to decline granting the advancements solicited for Lieutenat Colonel Gimat, Major Noirmont and Captain Capitaine.²

I have the honor to be &c.

By the CONGRESS of the UNITED STATES
of A M E R I C A.

M A N I F E S T O.

TH E S E United States, having been driven to hostilities by the oppressive and tyrannous measures of Great-Britain; having been compelled to commit the essential rights of man to the decision of arms; and having been at length forced to shake off a yoke which had grown too burthenfome to bear, they declared themselves free and independent.

Confiding in the justice of their cause; confiding in Him who disposes of human events, although weak and unprovided, they set the power of their enemies at defiance.

In this confidence they have continued, through the various fortune of three bloody campaigns, unawed by the power, unubdued by the barbarity of their foes. Their virtuous citizens have born without repining, the loss of many things which make life desirable. Their brave troops have patiently endured the hardships and dangers of a situation, fruitful in both beyond former example.

The Congress, considering themselves bound to love their enemies, as children of that Being who is equally the Father of all; and desirous, since they could not prevent, at least to alleviate the calamities of war, have studied to spare those who were in arms against them, and to lighten the chains of captivity.

The conduct of those serving under the King of Great-Britain hath, with some few exceptions, been diametrically opposite. They have laid waste the open country, burned the defenceless villages, and butchered the citizens of America. Their prisons have been to slaughter-houses of her soldiers, their ships of her seamen, and the severest injuries have been aggravated by the grossest insult.

Foiled in their vain attempt to subjugate the unconquerable spirit of freedom, they have meanly assailed the Representatives of America with bribes, with deceit and the servility of adulation. They have made a mock of humanity, by the wanton destruction of men: They have made a mock of religion, by impious appeals to God whilst in the violation of his sacred commands: They have made a mock even of reason itself, by endeavouring to prove, that the liberty and happiness of America could safely be entrusted to those who have sold their own, unawed by the sense of virtue or of shame.

Treated with the contempt which such conduct deserved, they have applied to individuals: They have solicited them to break the bonds of allegiance, and imbrue their souls with the blackest of crimes: But fearing that none could be found through these United States, equal to the wickedness of their purpose, to influence weak minds they have threatened more wide devastation.

While the shadow of hope remained, that our enemies could be taught by our example to respect those laws which are held sacred among civilized nations, and to comply with the dictates of a religion which they pretend in common with us to believe and to revere, they have been left to the influence of that religion, and that example. But since their incorrigible dispositions cannot be touched by kindness and compassion, it becomes our duty by other means to vindicate the rights of humanity.

We therefore, the Congress of the United States of America, DO solemnly declare and proclaim, That if our enemies presume to execute their threats, or persist in their present career of barbarity, we will take such exemplary vengeance as shall deter others from a like conduct. We appeal to that God who searcheth the hearts of men for the rectitude of our intentions. And in his holy presence we declare, That as we are not moved by any light and hasty suggestions of anger or revenge, through every possible change of fortune we will adhere to this our determination.

*DONE in Congress, by unanimous consent, the Thirtieth day of
October, One Thousand Seven Hundred and Seventy-eight.*

H E N R Y L A U R E N S, President.

Attest. C H A R L E S T H O M S O N, Secretary,

LB (DNA: PCC, item 13).

¹ Lafayette had been charged with delivering Benjamin Franklin his instructions as Congress' newly appointed minister plenipotentiary to France, as well as a "Plan of An Attack Upon Quebec," upon which the two men were to confer. Concerned that no one had been empowered to act in Franklin's place in the event of his illness or death, Lafayette had inquired, in his October 26 letter to Laurens, about Congress' "intentions upon any unforeseen event." See *JCC*, 12:1048, 1052; and Lafayette, *Letters* (Idzerda), 2:196.

² For Congress' action on Lafayette's recommendation that a number of his subordinate officers be promoted, see *JCC*, 12:1068-69; and Laurens to Casimir Pulaski, October 28, 1778, note 3. For Lafayette's response to Congress' denial of his recommendations concerning the three officers named here, which inspired Laurens to reassure him that Congress' decision reflected no decline in their esteem for him, see Lafayette, *Letters* (Idzerda), 2:197-98.

Henry Laurens to William Palfrey

Sir

30th October [1778]

Your favor of the 20th I had the honor of receiving and presenting to Congress the day before Yesterday—the Treasury Board informed Congress that One Million Dollars had been lately remitted, and would soon reach your hands, and have delivered me a Report recommending that a Warrant issue for half a Million which will be passed this Morning and the Money will, I trust be sent forward without delay.¹

You will receive inclosed herein an Act of Congress of the 28th Instant for regulating the Pay and subsistence of Lieutenant Colonel de Vrigney.²

I am, With great Respect and Esteem &c.

LB (DNA: PCC, item 13).

¹ See *JCC*, 12:1014, 1070, 1078. Palfrey's letter is not in PCC.

² *JCC*, 12:1071.

Henry Laurens to George Washington

Sir

30th October [1778]

Since my last Letter under the 25th by Van Court I have had the honor of presenting to Congress Your Excellency's favors of the 22nd and 23d.¹

Your Excellency will find Inclosed herewith Copy of a Letter which I have written to Major General Gates in Answer to Lord Balcarres' application and also two Acts of Congress.

1. of the 26th Instant directing Count Pulaski's Legion and all the Cavalry at and near Trenton to repair to Sussex Court House and

intimating a necessity for removing the Cavalry to places where they may be easily supplied with Forage.

2. of the 27th for granting leave of absence to the Marquis de Vienne.

By order of Congress I have issued Brevet Commissions to divers Officers as hereunder particularized.

Monsr. Touzard	No. 1	} To Rank Lieutenant Colonel from the 27th October 1778.
Mr. Brice, Aid to the Marquis de la Fayette	2	
Mr. Nevill, another Aid to the Marquis	3	

The Chevalier Failley 27th October 1778 to rank Colonel from the 17th October 1777 in conformity to a promise made by General Gates for his services at and near Saratoga.

Congress have added to Mr. Touzards Commission a Pension of thirty Dollars per Month during Life, in consideration of his misfortune in losing an Arm in the late Action at Rhode Island.

A late remittance of One Million has been made to the Paymaster General, and I have in my hands a Report from the Treasury for half a Million which I presume will be granted this Morning.

I have the honor to be &c.

LB (DNA: PCC, item 13).

¹ JCC, 12:1070. Washington's October 22-23 letter, which enclosed a letter from Gen. Edward Hand on frontier conditions and Lt. Col. William Butler's account of his recent destruction of settlements at Onoquagua and Unadilla on the upper Susequehanna, is in Washington, *Writings* (Fitzpatrick), 13:131-35.

Richard Henry Lee to William Whipple

Dear Sir,

Philadelphia Oct 31. 1778.

On principles of old acquaintance and much regard, I should have been well pleased to have had the pleasure of seeing you here, before my return to Virginia.¹ It will give me much Satisfaction in my retirement to hear from you when your leisure will permit. The long evenings that are coming on will present you with opportunities of informing a friend how things proceed here. Let me know how my friend Mr Langdon does. As I hope you will be closely employed this winter in forming plans for the increase and regulation of our Navy so it will make me happy to hear that you are proceeding well and harmoniously in that line. My direction is at Chantilly, to the care of the Post Master at Leedstown in Westmoreland County Virginia.

I am dear Sir sincerely yours,

Richard Henry Lee

Tr (DLC: Force Collection).

¹ For Lee's departure from and Whipple's arrival at Philadelphia the following week, see Whipple to Lee, November 8, 1778, note 2.

Roger Sherman to Elisha Payne

Sir

Philadelphia Octr. 31. 1778

I take the liberty to address you¹ on a Subject which to me appears to be of a very dangerous and alarming nature. I am informed that the Inhabitants of a number of Towns in the State of New Hamshire on the East side of Connecticut River, have withdrawn from the Jurisdiction of that State, and joined with the people of the Grants, on the west Side of the River in forming a distinct State. The Strength of the united States lies in their union; they by their joint efforts under the Smiles of Divine Providence have made a Succesful resistance to the power of Great Britain Aided by foreign Mercenaries: but if Intestine divisions and contentions take place among them, will they not become an easy prey to a formidable enemy?

Whether the State of New Hamshire or New York have a right of Jurisdiction over the New Hamshire Grants on the west Side of Connecticut River, or whether by the neglect of the former to Claim and Support its Jurisdiction against the latter, the people have a right to form themselves into a distinct State, I shall not give any opinion, those questions will I Suppose at a proper time be judicially decided.

But for people Inhabiting within the known & acknowleged boundaries of any of the united States to Seperate without the consent of the State to which they belong, appears to me a very unjustifiable violation of the Social compact, and pregnant with the most ruinous consequences. Sir I dont know whether you live in one of the revolted Towns, but as you are in that vicinity, I trust from my acquaintance with your love of Order, and regard for the welfare of Your Country, You will use Your influence to discourage every thing that in your opinion may be injurious to the true Interest of these States. If the present Constitutions of any of the States is not So perfect as could be wished, they may & probably will by common consent be amended; but in the mean time & under present circumstances, it appears to me indispensibly necessary that civil Government Should be vigorously Supported. I hope you will excuse the freedom I have taken on this occasion, as my Sole motive is the public good. I am with Esteem & regard, Your humble Servant.

FC (NhD: Bartlett Papers). In the hand of Roger Sherman. Endorsed by Josiah Bartlett: "Copy of a Letter from the Honble Roger Sherman of Connecticut to Colo Payne in N Hampshe."

¹ Elisha Payne (1731–1807), attorney in Cardigan (now Orange), N.H., was a justice of the Court of Common Pleas in Grafton County and a leader of the Grafton County towns that unsuccessfully sought increased representation in the New Hampshire assembly before seeking union with Vermont in 1778 and 1781. See Josiah Bartlett to Meshech Weare, August 4, 1778, note 3.

Charles Thomson's Draft Resolution of Congress

[October 31, 1778]¹

The president having reminded the house that One year is elapsed since he had the honour of being elected to fill the chair and expressed a strong desire to be relieved & that another be elected in his place; *(and whereas the thinness of the house as well as sundry other considerations render it inconvenient to go into a new choice)* The house took the same into Consideration & the House being satisfied with the whole conduct of the President² Resolved That it is the unanimous desire of this house that H L Esq continue for some time longer *(as pres.)*.

MS (ScHi: Laurens Papers, no. 20). In the hand of Charles Thomson. Endorsed by Moses Young: "Resolution concerning the unanimous desire of Congress that the President continue in the Chair for some time longer."

¹ Although no mention of this resolution is found in the journals, President Laurens, in the letter of resignation that he read to Congress from the chair on December 9, stated that he had been induced "to continue in this Chair after the 31st day of October" at the "unanimous request of this House." *JCC*, 12:1206. See Laurens' second set of Notes on his Resignation, December 9, 1778, note 2; and Laurens to Philalethes, January 23, 1779.

² The preceding 11 words are in the hand of Henry Laurens.

John Williams to Robert Burton

My Dear Sir Philadelphia 31st Octr 1778

Yesterday by the hands of our Worthy Freind Mrs. Springer I Received your favor of the 13th Instant, the Melencholy account it contained of the death of poor Jackey Williams has Exceedingly Distressed Me and made me quite unhappy, the agreeable account of Mrs. Williams's being in health is the only contrast which could sooth the Mind in circumstances of this kind.

I thank you for the Intillegence Respecting our Vessels at Sea, Stern's Runing & C. The latter before this is Determined & I hope favorably, the former of Infinetly More consequence I think Much More hazardous. I understand the Enemy have Several Vessels of War now Cruising off Chesapeak Bay & all the West India Islands greatly Infested by their privateers, however we Must Run the

chances of War and hope for the best. I hope they will Es[cape]. Am very sorry to hear that So much damage has been done to the crops in our part of the country by the gusts & freshes there. I beg the favor of you to urge My Overseer to use all possable Diligence in geting in My crop of corn geting it Shucked out & Cribed, as to News Nothing New has transpired Since My last (which you will Receive with this), Except a Report Generally believed to be founded in truth that the Enemy have Imbarked & are Imbarking at New York Eighteen or twenty More Regiments of their Troops & that the Torys & Refugees are Many of them going to Halifax, Nova Scotia & some to Europe, which Carries Strong Suspicions of a General Evacuation of that City. My Requests in My last you will pay such attention to as you think Necessary, Every thing that you can possibly oblige Mrs. Williams in will be laying Me under additional Obligations, little Joney you tell Me has become pretty well Master of the family—it is what I Expected. I wish very Much to See him tho' I imagine he Must have forgot Me so far before this as to have no Idea of My presence. Hutchins I thought promised as Much Sprightleness as John, tho' when I left him too young to Express it. I Anxiously wish the time to come when I shall once More Enjoy the pleasure of Seeing you all together. Remember My unfeigned love to Mag & both the little boys & my Respectfull compliments to all Enquiring friends, both of which you will Except yr Self and permit Me to Say I am Sir with the Most Sincear Regard, Dear Sir yr. Real Friend & Hble Sert. Jno Williams

P.S. If Mrs. Williams has Not yet got her Kitchen Chimney Run up or a house built for My Sister Priscilla Hart, pray Sir Interest yr. Self in geting them done, the price of workmen I would not stick at, the Season is far advanced & they are Jobs I must have done this fall.

RC (NcU: Burton Papers).

Marine Committee to Abraham Whipple

Sir,

[October ? 1778] ¹

The Congress of the United States of America, having tried in vain every other method, of restraining the cruelties exercised by our Enemies upon those of our fellow Citizens who by the fortune of war have fallen into their hands, have been compelld to resolve upon retaliation.

Application having been repeatedly made by us in Europe for an exchange of Prisoners without effect—the promise given by the Minister of the King of G. Britain—that they should be sent as soon as

possible to America to be exchanged—having been violated—many of them, on the contrary, Who are Fathers of Families in America, [bei]ng compell'd into distant & fatal Climates & there apparently condemn'd to perpetual servitude, has rendered it our indispensable duty to recommend to your retaliation.

You will change the liberal & humane treatment by the example of which you have so long endeavor'd to reform the conduct of our Enemies, into the utmost measure of severity & indignities that have been or may be exercis'd upon our fellow Citizens, or upon the Subjects of our Allies. You will refuse them the indulgencies hitherto granted when taken—you will straiten their confinement—& abridge the quantity & quality of their provisions; according to the severe rule laid down & practis'd by our Enemies. No distinction of rank whatsoever must be made between the officers & common men.

As we beleive that every American will feel as much pain in executing as we do in recommending these Severities, & as the sole object of them is to enforce a due observance towards us, of the Laws of humanity; we are persuaded, that the mom[ent] this purpose is obtain'd, you will return to your former humane treatment of your Prisoners, & vie with our Enemies in every act of generosity & kindness to the unfortunate.

FC (ViU: Lee Family Papers). In the hand of Richard Henry Lee. Addressed: "To—Whipple (& Paul Jones) Esqr Captain(s) of the Ship(s) of War the Providence (& Ranger) belonging to the United States.

¹ Although no evidence has been found to indicate when Lee wrote this letter, it seems likely that he drafted it in the aftermath of the adoption of Congress' October 30 "Manifesto" threatening the enemies of the United States with "such exemplary vengeance, as shall deter others from a like conduct." JCC, 12:1080–82. Whether it was ever sent to Whipple, or to any other officer of the Continental Navy, is not known.

Samuel Adams to Samuel P. Savage

My Dear Sir,

Philad. Nov. 1, 78

I duly recd your favor of Octo by the last Post, and should have immediately answer'd it had I not been that day exceedingly engag'd.¹ I do not keep Copies of all my Letters. They are Trifles. You was mistaken in supposing that I ascrib'd the Independence of America to N[ew] E[ngland] only. I never was so assuming as to think so. My words are that America is oblig'd to Mass., and this is an acknowledgd Truth. It is the opinion of others as well as my self, that the Principles and Manners of New England from time to time led to that great Event. I pray God she may ever maintain those Principles, which in my Opinion, are essentially necessary to support

& perpetuate her Liberty. You may see my Sentiments of the Patriotism of other States in the Union, in a Letter I lately wrote to Mrs. A (if it is in Being), in which I relate a Conversation which passed between Monsieur ——— and my self.² But enough of this. I love my Country. My Fears concerning her are that she will ruin herself by *Idolatry*.

A part of your Letter you tell me is confidential. I will always keep the Secrets of my Friends when I can do it honestly, though I confess I do not like to be encumberd with them. In this Instance I will be your Confidant. But let me ask you—Can a difference between Mr. ——— & me, either real or imaginary, be of any consequence to the World?³ I think not. Tories you say triumph. They may make Sport of it; but indeed my Friend, it is too unimportant a Matter for a sensible Whig to weep and break his Heart about. I am desirous of making you easy. And I do assure you, that so far from brooding in my Heart an unfriendly Disposition towards that Man, I seldom think of him unless I happen to take up a Boston News paper, or hear his Name mentiond in Chit Chat Conversation. You call upon me by all that is sacred to forgive him. Do you then think *he* has injurd *me*? If he has, Should not *he* ask for forgiveness? No man ever found me inexorable. I do not wish him to ask me to forgive him. This would be too humiliating. If he is conscious of having done or designd me Injury, let him do so no more, and I will promise to forgive & forget him too. Or, I would add, to do him all the Service in my Power; but this is needless. It is not in my Power to serve him. *He* is above it.

If you wish to know the Foundation of this wonderful Collision, ask my friend J. W., or another whom you properly call my "closest" Friend. To them I have related the trifling Tale, & they can repeat it to you.

The Precepts & Examples you refer me to I shall always reverence most highly. I am, with unfeigned Sincerity, Your obliged & affectionate Friend

FC (NN: Adams Papers). In the hand of Samuel Adams.

¹ A letter from Savage to Adams dated only "Octr" is in "Adams-Savage Correspondence, 1776-1785," *Proceedings of the Massachusetts Historical Society* 43 (February 1910): 334-36.

² Adams' letter which he "lately wrote" to his wife relating such a conversation has not been found.

³ Savage had warned that the deterioration of Adams' relations with John Hancock was detrimental to the United States: "I most sincerely value you as my Friend, but as I value you my Country lies nearer my heart, and I greatly fear the differences now subsisting between you and your worthy Friend Mr. H may greatly hurt her interest: the Effects are already visible; the enemies of America triumph in the Strife and are taking every measure to encrease the Flame." *Ibid.*, p. 335.

Henry Laurens to Robert H. Harrison

Sir

1st November [1778]

I have the honor of informing you that you were Yesterday unanimously elected in Congress a Commissioner of the Board of War and Ordnance as appears by the inclos'd Extract from the Journals¹—to the unanimous voice I have the pleasure of adding the earnest desire of the House that you will accept the appointment and enter upon the duties of the office as early as your engagements and private affairs will admit of.

I Am with very great Esteem & Regard, Sir, Your Most Obedient Servant.

LB (DNA: PCC, item 13).

¹ JCC, 12:1086. Harrison's November 10 response to Laurens, explaining the reasons which "compel me again to decline the appointment" (he had previously been named to the board on November 7, 1777), is in PCC, item 78, 11:367-70.

Henry Laurens to John McKinly

Sir

1st November [1778]

I Am extremely sorry to learn by your favor of the 29th ulto. just come to hand that you have suffered further mortification by a delay of your Exchange;¹ be assured Sir, neither Congress nor their President are on this account blameable, and that I will tomorrow transmit such instructions to the Commissary General of Prisoners as will remove every obstacle to your residence at home in freedom.²

I have the honor to be, With great Respect & Esteem &c.

LB (DNA: PCC, item 13).

¹ McKinly's October 29 letter to Laurens is in PCC, item 78, 15:399-402. For information on the steps that led Congress to approve McKinly's exchange for former New Jersey governor William Franklin, see Laurens to Rawlins Lowndes, August 18, 1778, note 12.

² See Laurens to John Beatty, November 7, 1778.

Henry Laurens to Caesar Rodney

Sir.

Philadelphia, 1st November 1778.

I am just now honored with Your favor of the 27th Inst. which shall be presented to Congress at their meeting to morrow.¹

A budget of Manifestoes said to be from the British Commissioners was lately thrown up by the Sea on the Jersey Shore, it contained one Package marked Delaware supposed to have been intended for that

State, another marked Pennsylvania, the whole number were brought to my House & by me laid before Congress. Congress would take no Cognizance of the Waif; the Vice President of this State declined touching the bundle marked Pennsylvania—if Your Excellency believes that which was possibly intended for Delaware worth carriage, it shall be immediately transmitted.

I make no doubt Sir of your having heard that a Flag Vessel on board of which was a Lieutt., Midshipman & thirteen people of the Preston British Man of War, had been wrecked some days ago on the Coast of New Jersey, two of the people were drowned, those who reached the Shore alive having no Credentials by flag or otherwise were conducted as Prisoners of War to the New Jail in this City where they remain.

I am directed by Congress to recommend to the State of Delaware to supply immediately a proper number of Representatives in Congress; for some considerable time past the State has been almost wholly unrepresented. The Honorable Mr. Vandyke having retired on account of the bad state of his health & the Honorable Mr. Chief Justice McKean detained by unavoidable attendance on the duties of his Office.² Also to request the State to give Instructions to their Delegates to Ratify the Articles of Confederation;³ New Jersey will accede in a few days; as Congress is informed by her Delegates & we hope Maryland will no longer delay—the accessions of these three States will perfect the foundation on which the happiness of our general Union depends.

Inclosed with this will be found six Manifestoes by Congress,⁴ will Your Excellency be pleased to distribute these by proper means to public view in your State—Copies are sent to all the Posts of the Enemy.

I have the honor to be, Sir, Your Excellency's Most obedient humble servant,

Henry Laurens,
President of Congress.⁵

RC (PHi: Gratz Collection). LB (DNA: PCC, item 13).

¹ Rodney's October 27 letter to Laurens is in PCC, item 70, fol. 671.

² There is no evidence in the journals indicating that Laurens had been directed to call upon Delaware to maintain a representation in Congress; nor does it seem likely that he would have been since Thomas McKean was recorded in attendance on both October 12 and 31. See *JCC*, 12:1002–3, 1086.

³ Laurens may have acted upon his own initiative in this matter also, since there is no mention of such a "request" in the journals.

⁴ For Congress' October 30 "Manifesto" against Britain's "present career of barbarity," threatening to "take such exemplary vengeance, as shall deter others from a like conduct," see *JCC*, 12:1080–82.

⁵ This day Laurens also wrote the following brief letter to Delaware chief justice William Killen. "In the Moment I was sending away this Messenger your favor of the 30th Ulto. was brought to me. I shall lay the Letter with its several Contents before Congress to Morrow & by the return of the person who was bearer of it you

shall hear further from me." PCC, item 13, 2:146.

According to the journals, Laurens the following day laid Killen's letter, "with sundry affidavits enclosed," before Congress, which ordered it "referred to the committee appointed to enquire into the abuses of the quarter master general's department." JCC, 12:1090. For the committee's response to what were undoubtedly the complaints aired in the affidavits Killen had submitted, see Committee of Congress to the States, third letter, November 11, 1778.

Henry Laurens to George Washington

Sir,

1st November [1778]

With this Your Excellency will receive my Letter of the 30th which has been two days in the hands of Colonel Gimat; this Gentleman being detained by some prospect of receiving an Act of Congress in his favor in a day or two, I judge it best to forward the public Dispatches by an Express Messenger.¹

Yesterday I had the honor of presenting to Congress your Excellency's several Letters of the 24th, 26th and 27th Instant,² the former together with the Return which accompanied it, is committed to a Committee appointed to prepare a Plan for procuring Reinforcements for the Army. The latter produced a Resolve approving the reasons for not undertaking immediately an Expedition against Chemung which Your Excellency will find inclosed.³

I shall likewise transmit herewith a Letter of the 24th October 1778 from Nicholas Depui and others and two Affidavits refer'd to in the Letter which Congress refer to Your Excellency's consideration.⁴

I have the honor to be &c.

P.S. This instant the Printer has sent in a Packet of printed Manifestoes by Congress, which Your Excellency is requested to distribute by proper means at the several Posts of the Enemy North and East of this place, within these States. Fifty of these Papers will be found under Cover with this.⁵

LB (DNA: PCC, item 13).

¹ See Laurens to Jean de Gimat, November 5, 1778.

² JCC, 12:1084. These letters are in Washington, *Writings* (Fitzpatrick), 13:143-46, 158-60, and PCC, item 152, 6:411-15, 419-21.

³ JCC, 12:1084.

⁴ This letter from Nicholas Depui, John Chambers, Benjamin Van Camp, and John Van Camp to Pennsylvania Council president George Bryan, "concerning the Apprehensions we are under of the Indian & Torey Incursions on the Frontiers," is in the Washington Papers, DLC. See JCC, 12:1080.

⁵ See preceding entry, note 4.

Virginia Delegates to George Bryan

Sir, Copy. Philadelphia, Novr. 1st. 1778.

The Subject of the enclosed Letter we conceive demands your serious Attention; and we flatter ourselves that we need not suggest to you the Propriety of taking some immediate Step, in Conjunction with the Governor of Virginia, to restore the Harmony of the States of Virginia & Pennsylvania, or at least to prevent the Consequences likely to ensue from this Occasion. We hope that all Disputes of this Nature may be amicably settled by you & the Governor of Virginia, and that it will be unnecessary to trouble Congress upon this Subject. With this View we shall write to the Governor of Virginia,¹ giving him an Account of the Information we have received, and of our Proceedings thereon.

We have the Honor to be &c, Sign'd,
Meriwether Smith
Richd. Henry Lee

Tr (MH-H: bms Am 1649.5). In the hand of Meriwether Smith. Addressed: "His Excellency George Brian, Vice-President of the Council, Pennsylvania."

¹ For this communication to "the Governor of Virginia" and "the enclosed Letter" mentioned above, see Meriwether Smith to Patrick Henry, November 4, 1778, note 1.

Richard Henry Lee to Jonathan Trumbull, Sr.

Sir Philadelphia Novemr. 2nd, 1778.

I am no Stranger to the great merit of your late worthy son Mr. Commissary General Trumbull, and my endeavours have not been wanting to procure for his family that justice which is eminently due to him. As Chairman of the Committee to whom your letter and the Memorial of Mr. Hoskins were committed,¹ I have made a Report which appeared to the Committee well fitted to do justice to the Representatives of Col. Trumbull and to produce as speedy a settlement of this business, as the nature of the thing will admit of. A short day is fixed for determining on this Report—and from the reasonableness of it I conclude it will be agreed to. My family affairs calling me immediately away, I set out for Virginia tomorrow but there are not wanting many worthy gentlemen who will press the Report to a speedy determination.

I am with great respect & esteem, Sir, Your Most Obedt. & very humble Servt,
Richard H. Lee

Tr (DLC: Force Collection).

¹ For Governor Trumbull's October 6 letter to Congress and William Hoskins'

September 17 petition requesting action on the settlement of the accounts of the late Commissary General Joseph Trumbull, both of which had been presented to Congress and referred to committee on October 15, see Henry Laurens to Trumbull, October 16, 1778, note 2.

Samuel Adams to James Warren

My dear Sir.

Philada. Nove 3d. 78

In your last you ask me What we are doing? ¹ Many things indeed. And if you will grant that somethings have been done well, I will frankly confess to you that others might have been done better. I think we do as well as we can, considering the Pile of Business every Morning laid on our Table. In order that the Affairs of the Treasury may be better attended to than they can possibly be by the Members of Congress, who are obliged to give their attendance there in the Hours of Business, we have establishd a new Board, to consist of a Treasurer, Comptroler, Auditor & two Chambers of Accounts, of three each. All these officers are to be chosen from without Doors. Measures are taking for the Appretiation of the Currency. Every Adept in financiering is busily employd, and I hope we shall before long agree in an effectual Plan. We have appointed Dr. Franklin Minister Plenipo. at Versailles, & written a Letter of Credence to our good and great Ally. The critical Situation of the Powers of Europe in general makes it somewhat difficult at present to determine to which of them it is proper to make our Court. Every Cabinet I imagine will this Winter be deeply engagd in making their Arrangements and preparing for the opening a Campaign in Case of a general War, which will more than probably happen. Our Friend AL is in Spain.² Our other Friend JA will be employd somewhere ³—France must be our Pole Star, and our Connections must be formd with hers—Holland, whose Policy is always to be at Peace, may be open to Negotiation—the sooner she is tempted the better. Spain must joyn with France; but she is dilatory. I wish she would recollect how much she was injurd by it the last War, when she sufferd the Common Enemy to beat France & her self in Detail. The Spirit of Chatham is indeed extinguished in Britain. His decisive Mind might have dictated the Seizure of the Flota at Sea. Perhaps it is well that the Great Man is no more. The Millions are safely arrivd and the Tone of Neutrality at Madrid is become languid. A formidable Fleet lies equipd at Cadiz, which operating with that of France might at this juncture give a fatal Blow to the boasted Sovereignty of Britain on the Ocean.

The Count D'Estaings Squadron, I suppose will go to the West Indies. If so, Must not the British follow, with a great Part of their

Troops, if they mean to keep the Possession of their own Islands. They may leave Garrisons at N. York and Newport, with a View of obliging us to maintain a great Army, hoping that we shall be undone by Expences while they utterly despair of subduing us by the Power of their Arms. We must have a respectable Army in the Spring, to put a face upon our Negotiations if not to fight. I hope we shall secure to the United States Canada, Nova Scotia & *the Fishery* by our Arms or by Treaty. Florida too is a tempting Object at the South.⁴ Perhaps if you were to show this Letter to some Folks, it would be thought to confirm an Opinion from whence an Objection was drawn against me on a *late Occasion*, that I am "averse to Reconciliation". We never shall be upon a Solid Footing till Britain cedes to us what Nature designs we should have, or till we wrest it from her.

The Marine Committee have obtained a Warrant for One hundred & fifty Thousand Dollars for your Department which will be forwarded speedily.⁵ Congress has increasd your Salaries to three thousand Dollars per Annum.⁶ I had this in View when I intreated you in my last Letter not to resign your Seat. Nothing could reconcile me to this but your having a Seat here. I am determind to make Room for you by a Resignation next Spring. I flatter my self I can yet be useful to my Country in a narrow Sphere. I wish for Retirement, and covet Leisure as a Miser does Money.

I inclose a Manifesto on our part⁷—I am pleasd with the Act prohibiting the Return of Tories, but I am afraid the Words "Without Liberty first had & obtained from the General Court" will keep an Open Door for perpetual Applications, and it may be unsafe to trust to future feelings. Adieu,

S.A.

RC (MHi; Warren-Adams Papers).

¹ Warren's October 7 letter to Adams is in *Warren-Adams Letters*, 2:50-53.

² That is, Arthur Lee. See Richard Henry Lee to Arthur Lee, October 27, 1778.

³ That is, John Adams. See Committee for Foreign Affairs to John Adams, October 28, 1778.

⁴ Congress had resolved on November 2 to direct Gen. Benjamin Lincoln "to endeavour to reduce the province of East Florida." *JCC*, 12:1091.

⁵ See *JCC*, 12:1085.

⁶ *JCC*, 12:1085.

⁷ See Samuel Holten's Diary, October 30, 1778, note 1. Authorship of this "Manifesto" was attributed to Adams by Harry A. Cushing, the compiler of the major collection of Adams' writings [Adams, *Writings* (Cushing), 4:84], but for a contrary view see Gouverneur Morris to Robert R. Livingston, August 17, 1778, note 4.

Cornelius Harnett to Thomas Burke

Dear Sir

Philadelphia Novr. 3, 1778

This is the fifth letter I have written to you since I received your

favour, acquainting me that Mr. Hill & yourself were added to the Delegation from Our State. I am in anxious Expectation of seeing you both here by the 1st of next month. As for Our friend Hill, I have my fears that he will not proceed, but let me beg of you to come on & relieve me.¹ I assure you without any Compliment Your presence in Congress is, I think, very necessary. But more of this when we meet. As for News I refer you to the inclosed Papers. We are not as yet certain, whether the Enemy intend the entire Evacuation of New York or not, Indeed I can not even venture to give my Own Opinion.

For Gods sake Come in time for me to return home. You know I am older than you are & can not stand Travelling after Christmas, I *desire* you will make it a point with Whitmill Hill to Accompany you. I shall have a pleasure in leaving him here to represent us. Spain has not yet declared war that we know of—but we hourly expect the event. I am, in great haste, Dr. Sir, Your Affect. & ob Servt,

Cornl Harnett

[P.S.] Mrs. House & Mrs. Trist present their compts.

RC (NcU: Burke Papers).

¹ Burke was already en route to Pennsylvania. While on his way to Philadelphia to take his seat in Congress, Burke stopped off at Williamsburg, Va., and wrote the following letter to North Carolina governor Richard Caswell on October 20.

"A young Gentleman of the Army going home to Duplin County gives me an opportunity of advising you of an occurrence which has happened here to which I suppose you may expect one similar. A flag came from New York with various packages directed to the Governor for the time being, the Speakers, the Commanding officer of the Army, the Clergy, and some other Orders, which I have forgotten. The Governor took the advice of the Assembly, and they have refused to receive the Packages, they ordered back the flag and entered into some severe resolutions, against any officer who should come again on such business.

"The Assembly immediately perceived that it was an arduous attempt to treat with them, and to influence the people of this State, and it was almost instantly resolved that nothing of that kind could properly even be opened, that all business of a public nature must be transacted with Congress only. The zeal of the Assembly hurried them beyond what was really their intention. They propose only to declare that the Congress was the only power competent to treat for the states with foreign powers, that this state would therefore receive nothing addressed to them individually, and that any person in future bringing things so addressed, would be considered as an Enemy not protected by the Law of Nations, but I am told their resolutions go farther, and declare they will receive no flags but through Congress, and that any person coming with one shall be deemed an Enemy, which indeed every flag necessarily supposes, or there could be no occasion for that ensign of suspended Hostility. When any attempt like this is made on the State over which you preside, I am confident you will treat the affair with proper dignity and wisdom.

"I suppose you have received the resolutions relative to sending Troops to South Carolina. Here it is considered as a matter altogether visionary, and nothing is done except giving power to the Executive in case of any invasion shall happen or appear imminent to send the force required. For my own part I am of opinion it has arisen from the credulity of some Southern Gentlemen in Congress, and from the high idea of the importance of their Country. It is not very probable that the

Enemy will divide a force already unable to keep the open field, or that they will forego their present possessions for the purpose of making an attempt on one much less important to them. To do the first would be to make a certain sacrifice of a part of their army, and to do the latter would be egregious folly. In short Sir, I believe it will end in mere smoke. We have here the very disagreeable news that Col. Baylor's Regiment of Light Horse was surprised near Hackensack, forty of them put to the sword and the most taken. The Col. himself and most of his officers are supposed to be among the slain. In a Northern paper which I received yesterday from some persons who I believe have a charge of money for our State and Georgia, mentions our engagement between Admiral Keppel, and the Brest fleet, in which the latter had the advantage, but both were obliged to put back to refit. Nothing else of any importance is stirring here." *N. C. State Records*, 13:244-45.

The "various packages" mentioned in the first paragraph undoubtedly contained copies of the British peace commissioners' October 3 manifesto. The "resolutions" on South Carolina mentioned in the third paragraph were those passed by Congress on September 25, 1778. *JCC*, 12:949-51.

Henry Laurens to Casimir Pulaski

Sir

3d November [1778]

I had yesterday the honor of presenting to Congress your Letter of the 27th October.¹

Had the Gentleman who alarm'd you with an history of Complaints delivered my sentiments in terms which I meant to convey them to him you would have felt no chagrin but rather satisfaction on that account; a detail of particulars at this time would be unnecessary and troublesome. Numerous complaints it is true have been heard from various Persons, of irregular and improper conduct of the Legion, but none since that which took its rise in Germantown have been laid before Congress, therefore such do not amount to a charge.

I laboured to explain to the Gentleman abovementiond that neither Congress nor any of its Members as far as I had learnt, imputed blame or censure to Count Pulaski, and that from the regard I had for him it made me unhappy to hear that he was censured anywhere for the disorderly behavior of his Men, or the unwarrantable menaces of any of his Officers, and I must impute that Gentleman's deficiency in the information which he gave, to his imperfect understanding in the English Tongue, altho in justice to myself I must observe I took some pains to impress upon his Mind the high sense I entertained of Count Pulaski's Merits.

Your Letter abovementiond lies before the Board of War, where I presume this of the 26th respecting Monsieur Molion now before me will be transmitted;² when a Report from that Board comes before the House, you will be further informed. I have the honor to be &c.

¹ *JCC*, 12:1090. Pulaski's October 27 letter to Laurens is in *PCC*, item 164, fols. 54-57.

² Pulaski's October 26 letter is not in *PCC*, but for his recommendation of Monsieur Mauleon to a Continental captain's commission, see Pulaski's November 3 letter on Mauleon's qualifications, *ibid.*, fol. 58. See also *JCC*, 13:25, 121, 138, 238-39; and *PCC*, item 41, 6:83-85, item 78, 15:429-36.

Richard Henry Lee to Sir James Jay

Dear Sir,

Philadelphia Novr. 3. 1778

Your favor of October the 20th is put into my hands just when I am upon the point of setting out for Virginia,¹ and therefore you may suppose me not so well circumstanced for giving you such an answer as I could wish. I esteem Sir, a cooperation with you in bringing to detection and punishment the plunderers of the public as being honorable to myself and useful to the Community. I believe upon the whole, that this Country has suffered more from its pretended friends, than from its open enemies.

Such has been the variety and importance of the business before Congress, that neither the affairs of Car—m—l or of D—e are yet finished. The delay producing powers of some men, the destruction of time under pretext of order, and by long confident speeches, that I have never seen less business done in any Assembly than has been with us the last six or eight months. Mr. Izard has written to Congress complaining most heavily both of D—e and F—n. There appears to me to have been great misconduct, but I hope time & attention will discover and rectify all. It is my sincere opinion that with your powers, and your knowledge of facts, you can cause such instructions to be given your Delegates to Congress as will more certainly and speedily effect this, than can by any other means be done.

You wish to know how your Delegates have acted in this affair and whether they were for the Viva Voce narrative.² Amidst the variety of questions that are propounded in Congress it is not easy to remember what side particular Members take, nor do I recollect whether or not Mr. Lewis was present but as well as my memory serves me I think your State was against the written Narrative and for its being Viva Voce. That matter is a thing determined, and therefore I am at liberty to answer your questions as well as I am able on that point, but many other subjects of your enquiry I could answer to your satisfaction if I were not restrained by the rules of the house respecting unfinished affairs. That large sums of money have been expended in France is indubitable, that no adequate account is yet obtained is certain; and to me the reasons for its not being so are by no means satisfactory. He who undertakes public business without competency is culpable,

and a capable man will at all times be able to shew satisfactorily how his business has been conducted even to the greatest minutiae. It is an insult on common sense to produce a Bankers charge of money issued, to account for the expenditure of Millions, during the transactions of near a year and an half.

We have a letter written by Cuningham³ (who commanded the Cutters fitted at Dunkirk, and which have cost the public more than 100,000 Livres) complaining heavily for himself & his people of finding themselves the Commander of a private Armed Vessel, when he & they conceived themselves in the service of the U. S.⁴

FC (ViU: Lee Family Papers). In the hand of Richard Henry Lee.

¹ Jay's October 20 letter to Lee is in *Southern Literary Messenger* 30 (April 1860): 267-68. For Lee's "setting out," see note 4 below.

² Jay had explained that he had just been elected to the New York Senate and that he hoped he would now have "an opportunity to cooperate . . . in checking the abuses we have together observed and regretted, in the publick business of the continent, and in calling to account and punishing the Delinquents and their Abettors [*i.e.*, Silas Deane and his associates]." "Sensible as I am," he continued, "how exceedingly culpable in several respects Mr. D——'s conduct was, having great room to suspect it was much worse in others, and being persuaded that much injury will accrue to the Publick if he should escape with impunity, I hope a free enquiry has been made into it. If that has not yet been done, and may still be done, I will do my utmost to bring it on. In public matters of such importance, nothing should be left doubtful or in the dark. Attempts to evade a full and free enquiry, or to slur over any fact, imply guilt in the Agent himself, and a criminal partiality or indifference in the managers of the Public. Whilst I was in Ph'a, it was, I think, debated whether Mr. D should give a detail of his transactions abroad in writing or *viva voce*. I think it was carried for the latter, and that the three N.Y. Delegates voted for it. I wish you would set me right on this head, and let me into as many other particulars as are necessary to judge of the whole affair. I had at that time more than sufficient reason to suspect that one of our Delegates was using and would use undue methods in favor of Mr. D., and I now wish to be clear whether they voted for his detail being *viva voce*, and what part they have since taken in the business, because if it should appear from their voting on that or any other question, that they have acted with partiality or unbecoming indulgence, I would bring the affair before our legislature. I would state what I know of D's transactions. I would mention M's. attempt to suppress my evidence against D., and move to have one or more of the Delegates recalled to explain their conduct, or to have public instructions sent them, to insist on a full and accurate investigation of the whole business." *Ibid.*

In light of this statement, it is curious that the editors of the *Papers* of John Jay, in describing Sir James' role in the Deane-Lee dispute, concluded that he "found himself used as a tool of the Lee faction during the early maneuvers in the Congress." Jay, *Papers* (Morris), p. 508. For the effort made by Sir James the following March to bring the Deane-Lee issue before the New York Assembly, a move regarded as an embarrassment to his brother John and other pro-Deane New York delegates in Congress, see *ibid.*, pp. 571-72. See also Gouverneur Morris to John Jay, August 16, 1778, note 1.

³ Capt. Gustavus Conyngham's letter has not been found, but for the issue Lee raises here, that Silas Deane had outfitted on Continental account vessels that Conyngham had subsequently commanded on a private cruise, see Charles Thom-

son's Notes on William Carmichael's Examination, October 5, 1778. Conyngham's "Narrative" and several other documents pertaining to the cruise of "the Cutters fitted at Dunkirk" are in Robert W. Neeser, ed., *Letters and Papers Relating to the Cruises of Gustavus Conyngham, a Captain of the Continental Navy, 1777-1779* (New York: Printed for the Naval Historical Society by De Vinne Press, 1915). A similar "Narrative of the Proceedings of Captain Gustavus Conyngham, Commander of the Revenge Cutter," in the hand of Henry Laurens' secretary Moses Young, is in the Laurens Papers, no. 24, ScHi.

Another document, consisting of a number of questions about Conyngham and "the Cutters fitted at Dunkirk," written by Lee but located in the papers of Samuel Adams, underscores the great interest a number of delegates had in this subject. This list of questions is undated, and the reason for its location in Adams' papers can only be conjectured, but Lee may have left it for Adams' use during any future interrogation of Deane. Because Lee left Philadelphia the same day he wrote this letter to Jay, he may well have given the document to Adams at this time. It reads:

"By whose direction was it that Cuninghames Vessel was fitted out at Dunkirk the first time. Did all the Commissioners know and approve the design of fitting out Cuninghames Vessel from Dunkirk the first.

"Who gave him instructions for his Cruise and what were they.

"Did the french Ministry know that such a Vessel was fitting at Dunkirk, and did they object or consent to the measure.

"Was Cuninghames Vessel ever considered as private property.

"At what time was Cuninghame first fitted at Dunkirk.

"What were the avowed declarations of the french Ministry respecting our privateers. Does Mr. Deane remember to have seen letters to the Commissioners and Mons. Grand from the Count de Vergennes complaining of the fitting out Privateers in France.

"Dr F. reasons supposed for D—— recall.

"Conduct of R. H. L. in that matter.

"View of the matter since that event.

"Pub. good demands coolness, impartiality; and choice of p[ublic] measrs."

Richard Henry Lee notes, [November ? 1778], Samuel Adams Papers, NN. For Lee's departure from Philadelphia, see Lee to Arthur Lee, February 11, 1779.

James Lovell to Horatio Gates

Dear General

Novr. 3d. 1778

Your Favors of Sepr. 23d & 29th & Octr 20 came safe to Hand, the last by Majr. Derick, the next by Majr. Taylor and I suppose the first by Doctr. Johnston tho I do not remember my having seen such a Gentleman. Drawn on by false Hopes of being able to write you agreeable Things, I omitted for some Time to answer you and was afterwards hindered from doing it by downright Sickness. I did not however neglect to communicate to proper Persons your Ideas of the present Stage of the Campaign. You are now in a Situation to gain further Insight into the Enemies Views & Designs, by knowing their exact State at Rh. Island. For if they still keep themselves in Force there, they mean to tarry with us till Spring at least. But here let me ask you whether any Chief ever had so little true Intelligence as Genl. Washington? Are not Spies to be had for Money? I must in Justice

add, at the same Time, that I believe our Enemies do not form any capital Plans here. They are themselves in a State of Uncertainty waiting for Orders & Schemes from the other Side of the Water. By the *Courier de Europe* there was great Despondency in England the Beginning of August, both on account of Kepple's Ill Success & that of the Commissioners. They also knew of the Montmouth Affair.¹

I do not think there will be any Puzzle about Col. Hazen's Regiment.²

You have had a pack of cursed catalinarian Rascals plotting against you. I am not altogether without Suspicion that that that³ some mean Practices may take Place in your present Quarters. Chagrin will occupy *more* Bosoms *than one* upon your having the Direction of Matters Eastward just now.⁴ But I take it for Granted the *People* will See & know their true Interest.

As to Flour, Wadsworth [has] the Lives & Fortunes of us all in his Power. I cannot see but the Inhabitants of Boston and other Places must starve. I am sure my own Family cannot eat Bread for the Money which I spare them at the Price extorted for that article. If the State had sent Vessels for Flour for the Necessities of the People there would have been no puzzle, but Recommendations were given to Individuals who may import it and get 1000 Dollrs. pr. C[w]t if they chuse it. I have told my Wife you will help her if it lay any Way within your Line. I begin now to hope we shall better our Currency very soon. We shall do great Things when we get *President Schuyler here*—Tace—I think that is one of the next manœuvres.⁵ But if our Money is mended I shall not longer be anxious; nor care much Who is here. We do not yet know whether you are on yr. Way to Boston but I cannot doubt it. Be on your Guard against Malevolence; but at the Same Time make all due Allowance for Soreness in one or two wounded Men. People will fret a little when the Skin is off as well as when they have the Gout.

Col. Harison is chosen of the Board of War which will be managed by him, Pickering & Peters with 2 Members of Congress to be chosen by nine States.⁶ The Treasury also is put on a new Footing, so that I hope we shall do more deliberative Business and less executive than formerly in Congress wch. has been an Event too long wanted. I must renew my Hint about my Wife whom you must help as you did the starving Delegates at York. I missed a fine Opportunity at Baltimore of sending Flour in Expectation of One from this River But I see no chance at either Place now. The Commissary declares he cannot go on in his Line if Licence is given to any Individuals to export. The Recommendations given by our Council tended by a small Supply of the People to give princely Fortune to 8 or 10 Men. Had the Vessels been sent by the public to form a Granary for the People The Commissary could have done the whole and not have been

troubled with the enhanced Prices which Individuals create who are sure of a vast Profit let them give what they may. There the first loaded gets the greatest profit & consequently bids up in purchasing. The permit raised Flour to £6. The Check has brought it down to 4.

Every Blessing attend you and yours, affectionately, J L

RC (NHi: Gates Papers).

¹ The *Courier de l'Europe*, which was published in London, printed several articles on the clash of the British and French fleets in its August 4 and 7 issues, and items on the battle of Monmouth Courthouse in the August 25 and 28, 1778, issues.

² On November 24 Congress directed that Col. Moses Hazen's regiment be continued on "its original establishment; and that no new appointments or promotions of officers be made therein until the farther order of Congress." *JCC*, 12:1159.

³ Lovell's repetitions of "that" seem to have been deliberate and may have had a precise purpose such as calling attention to the plottings of a stutterer of their mutual acquaintance.

⁴ For Congress' decision to appoint Gates to the command of the eastern department and to transfer him to Boston, see Henry Laurens to Gates, October 23, 1778.

⁵ For further information on efforts to elect Philip Schuyler president of Congress, see James Duane to George Clinton, December 10, 1778.

⁶ Congress had resolved on October 29 to reorganize the Board of War by adding two delegates from Congress to the three regular board members, thereby bringing to an end an experiment begun in November 1777 when the board had been reconstituted as an administrative agency consisting entirely of members who were not delegates. Actually, the board had functioned as a semiautonomous agency only from about February to August 1778, for as late as January 21 delegates had continued to attend board meetings and as early as August 14 William Duer had resumed attending its proceedings. Congress' inability to obtain the services of several of its appointees to the board as well as the board's hostility to Washington and general insensitivity to congressional will during the winter and spring undoubtedly contributed to disillusionment with the administrative experiment. Clearly the board had never functioned or been constituted as originally envisioned, and General Gates' return to the field as commander of the northern army in April had deprived it of much of the authority and prestige that Congress hoped he would bring to its proceedings.

On November 4 John Mathews and Roger Sherman were appointed to the two newly authorized congressional positions on the board, with Francis Lightfoot Lee replacing the former and Jeese Root succeeding the latter within a few weeks. See *JCC*, 12:1076, 1101, 1134, 1241. For the 1777 reorganization and Congress' experience with the board during the following year, see these *Letters*, 8:151n.1, 499-501n.1, 9:95-103, 124-25, 130-32, 383; *PCC*, item 147, 2:177ff; and *New York Delegates to George Clinton*, August 21, 1778, note 2.

Henry Marchant to William Greene

Dear Sir,

Philadelphia Novr. 3d. 1778.

I yesterday recd. your Excellency's two Letters of the 17th and 22d of Octr.¹ by Mr. Collins and find he has brought forward the Lottery Tickets. I believe you will not be troubled this Winter with any of the British Gentry, wether they will totally leave the Continent

is uncertain; but large Embarkations are taking Place, supposed for the West Indies—perhaps to touch at So. Carolina. The Attention of Congress is much bent upon putting a Check to the Depretiation of the Currency—The almost only Difficulty we are left to struggle with, and hope this is not an unsurmountable One. I expect to set out on my Return about the middle of this Month,² when I may have an Opportunity of giving your Excellency such further Satisfaction as to publick Appearances (which at present are very flattering to Our Wishes) and also of our own Transaction as may be in my Power. In the mean Time I remain your Excellency's most obedient and very humble Servt.

Hy Marchant

P.S. I enclose the Papers of the Week.

RC (R-Ar: Letters to Governors).

¹ Governor Greene's October 17 and 22 letters to Marchant are in William R. Staples, *Rhode Island in the Continental Congress* (Providence: Providence Press Co., 1870), pp. 203-5.

² Marchant obtained a leave of absence from Congress on November 14, but he voted in Congress on November 16. *JCC*, 12:1133, 1135.

Daniel Roberdeau to Benjamin Franklin

Dear Sir,

Philad. Novr. 3d. 1778

Le Chevalier Mauduit Du Plessis by whose hands I received your introductory favr. last year is also the Bearer of this to acknowledge the service you did your Country, as well as the honor confered on me in that Instance. To be more particular in commending the good and brave conduct of this worthy Officer would be to sanctify the repeated acts of Congress fully expressive of that Gentleman's high merit not only as to promotion, being raised in so short a time to the high rank of Lieut. Colonel,¹ but also testifying of their approbation of his good behaviour & galantry on repeated occasions of which he is furnished with Credentials. I am respectfully, Dr. Sir, Yr. most obt. & very huml. Servt.

Daniel Roberdeau

RC (PPAmP: Franklin Papers).

¹ See Henry Laurens to Du Plessis, April 28, 1778.

Meriwether Smith to Patrick Henry

Sir,

Philadelphia, Nov. 4th. 1778

The inclosed Letter from Col. John Campbell¹ covered one for

the Governor of this State subject to the Perusal of the Virginia Delegates at Congress.

Col. Campbell complains of the Conduct of some Officers belonging to the State of Pennsylvania, which disturbs the Peace of that Part of the State in which he resides and is likely to produce b[lo]ody Effects. I doubt not but that he has given you particular Information of all the Proceedings.

On the Receipt of the Letter, (Col. Rd. H. Lee being here,) we thought it best to send it to the Vice-President of the Council, & wrote the inclosed Letter to him.² Not having received any Answer thereto, I have only to refer you to it, & hope that you will be able speedily to put an End to those Disputes.

I have the honor to be, Sir, Yr. most obedt. Servt.

Meriwether Smith

RC (PHi: Gratz Collection).

¹ Col. Campbell's letter has not been found, but a reference to it by the Pennsylvania Council identifies it as "from John Campbell, Esquire, an agent of Virginia, at Pittsburg, dated the 16th of October past." *Pa. Archives*, 1st ser. 7:79. The issue raised by Campbell was the long-standing controversy over the western Pennsylvania-Virginia boundary. This renewal of the dispute led to the appointment of commissioners by the two states who met the following August at Baltimore, where agreement was finally reached on the extension of "Mason's and Dixon's line due west five degrees of longitude, to be computed from the river Delaware." For information on this settlement of the Pennsylvania-Virginia boundary, see Jefferson, *Papers* (Boyd), 3:77-78.

² See Virginia Delegates to George Bryan, November 1, 1778.

Committee of Congress to John Connolly

Thursday 12 o'clock. [November 5? 1778]

The committee appointed to take into consideration the application of Lieutenant Colonel Connolly, request that gentleman will inform them of his reasons for not producing and pleading his commission, at the time he was first taken, and for a considerable time afterwards.¹

MS not found; reprinted from *PMHB*, 13 (July 1889): 158-59. The text of this letter is taken from Connolly's "narrative" of his captivity, which covered the period October 1775 to October 1780. Although the letter is undated, the committee apparently wrote it sometime after Connolly had written to Congress on October 12 but before Congress adopted a lengthy resolution concerning his case on November 12, 1778. Although it is dated only "Thursday 12 o'clock," Connolly's "narrative" suggests that this query was sent to him after the committee's study of his case was well under way and after he had "a personal audience" with the com-

mittee. Therefore November 5, rather than one of the Thursdays falling in October, has been suggested as the most likely date of its composition.

¹Connolly, who had been an American prisoner since his capture in October 1775, had been free on parole briefly in August 1778 after Congress returned to Philadelphia from York, Pa. Thus when Commissary of Prisoners John Beatty notified him that he was to be returned to confinement he sought to avoid reimprisonment and appealed to Congress to be granted regular prisoner-of-war status so that his exchange could be negotiated. Connolly's "application" was referred to a committee consisting of William Duer, Henry Marchant, and John Witherspoon, who had previously been appointed to take into consideration a number of prisoner issues raised by Beatty. According to Connolly's own account of his relations with the committee, he demanded and was granted a "personal audience . . . in order to know wherefore I was refused to be exchanged." Of this "audience" he gave the following account: "For once I was gratified, and brought before a committee, where having briefly recapitulated my causes of complaint, the chairman [*doubtless William Duer*] replied to the following purport:

"That it had been for some time past his opinion, which he had not scrupled to communicate to Congress, that I should be kept in close custody, until Sir John Johnson was delivered up to them, who, he asserted, had broken his sacred parole given to General Scuyler, and joined the enemy; since which time he had been committing ravages upon the northern frontiers, with a body of light troops and Indians, as he supposed I intended to do.

"To this I answered, that a parole or honorary obligation, I presumed, was of modern date, calculated to alleviate the horrors of war; that no Gentleman could be answerable for any but himself; that I had been admitted to my parole above a year ago, when my conduct was irreproachable, and that I was again, without the least cause on my part, thrown into prison, and there continued for another year; that much had been said about the infraction of my parole, which I utterly denied to have been the case.

"To this they replied, I certainly had not adhered to the spirit of it, for that I had spoken against their proceedings, and had frequently attempted to turn them into ridicule. . . .

"The final objection they made to my exchange, turned upon the impropriety of my being considered as a prisoner of war. They said, I had not been taken at the head of any armed troops, but privately making my way through the country; and one of them asserted, I might be considered as amenable to law martial, as a spy; but at the same time he observed, there was no intention of treating me as such.

"The committee at length promised to consider and report my case to Congress, and as my health was so exceedingly and visibly impaired, gave me an intimation, that if I were not exchanged, I should be enlarged on parole. I was then re-conducted to prison."

The note from the committee printed here, Connolly went on to explain, "was sent me a few days after the above hearing from the committee."

In response to the committee's query into his reasons "for not producing and pleading his commission," Connolly replied that Congress had known of his commission since 1775, because it was among the papers that were taken from him at the time of his capture. The committee apparently conceded the force of this explanation, for the reference to Connolly's failure to "produce or plead any commission under the King of Great Britain" contained in the committee's lengthy report to Congress was deleted when it was entered on the journals on November 12. See *JCC*, 12:1126.

For this report, and a number of documents and references related to this entire episode, see *JCC*, 12:909, 927-28, 949, 995, 1102-3, 1109, 1125-29; *PCC*, item 42, 2:52-55; item 78, 5:201-2, 213-20, 229-32, 241-42, 14:247-50; item 142, 2:159-60;

item 152, 6:427–28, 435–38; and “A Narrative of the Transactions, Imprisonment and Sufferings of John Connolly . . .,” *PMHB*, 13 (July 1889): 154–64. See also these *Letters*, 2:228, 241–43, 424, 455, 10:540.

Committee of Congress to Thomas Johnson

Sir

Philadelphia 5th Novr. 1778.

Upon a Representation from the General, the Commissary General and the Quarter Master General relating to the Distresses of the Army for Provisions and the Certainty of being obliged to leave the present Seat of the War in Quest of them unless effectual Measures be taken to supply the Want Congress have been induced to adopt the extraordinary Measure of appointing us a Committee to take such Steps as we shall think proper.¹ We have to assure your Excellency that it is utterly impracticable to maintain the Army without the Assistance of every separate state and even then there is but too much Reason to believe that the People as well as the Army will suffer for want of Bread before the next Harvest especially if the Exportation or Monopoly of Provisions prevails. At present we have to intreat that the whole Authority of your State may be exerted to procure Vessels for the Shipping of Flour to the Eastward. It is certainly unnecessary to add that as much Secrecy should be observed as is consistent with the Nature of the Business. With the highest Respect, we are, Your Excellency's most obedient, & humble Servants,² Gouv Morris

Nath. Scudder

Wm. Whipple

RC (MdAA: Red Books). Written by Gouverneur Morris and signed by Morris, Scudder, and Whipple.

¹ This committee was appointed to respond to an appeal from Generals Washington and Nathanael Greene for transporting flour by sea from the Chesapeake to New England to supply the army in the eastern department. See *JCC*, 12:1102, and Washington, *Writings* (Fitzpatrick), 13:174–77. Greene's October 27 letter to Washington, a copy of which the latter enclosed with his October 29 letter to Congress, is in the Washington Papers, DLC.

² For the appointment of these delegates a few days later to a second committee which was directed “to superintend” the commissary and quartermaster departments “for the public service,” see Committee of Congress to the States, first letter, November 11, 1778.

Henry Laurens to William Alexander

My Lord

5th November [1778]

I have had the honor in due course of receiving and presenting to

Congress your Lordships Letters of the 25th Ult. and 2nd Instant which were very acceptable to the House.¹

The Gentleman who is bearer of this has obtained a Permit to go into New York in order to work an Exchange for himself as a Citizen. He, meaning Robert Jackson Esquire, I am informed possesses a large Estate in the Island of Jamaica, he is allied by Marriage to one of the best families in South Carolina, and his deportment in Philadelphia bespeaks the Man of Honor and the Gentleman. He will address himself to Your Lordship, and I have assured him of your humanity and Politeness. I have the honor to be &c.

LB (DNA: PCC, item 13).

¹ According to the journals and the file of surviving letters from Alexander in PCC, Alexander's last two letters to Congress were dated October 21 and November 1. See *JCC*, 12:1062, 1099; and PCC, item 162, fols. 539-44. On the other hand, there are letters of October 25 and November 3 from Alexander to Laurens in the William Gilmore Simms Collection of Laurens papers deposited at MHi.

Henry Laurens to the Chevalier de Mauduit Du Plessis

Sir

5th November [1778]

I had the honor of presenting to Congress your Letter of October, and I am directed by the House to signify to you the high sense which they entertain of your zeal, Courage and good Conduct repeatedly demonstrated during your service in the American Army, more particularly in the Battles of Brandywine, Germantown, Red Bank and Monmouth, and that at your own request you are now permitted to return to France.¹

I Am also directed to present you with five thousand Livres tournois and two hundred Dollars as a gratuity—for the former sum you will find my draft of this date on the American Minister at the Court of Versailles, and for the latter a Warrant on the Treasurer in Philadelphia, both within the present Cover.

Accept Sir, my best Wishes, that after a prosperous Voyage you may receive the applause of your King, and reap new Laurels in his service.

I have the honor to be, With much Respect &c.

LB (DNA: PCC, item 13).

¹ For Congress' response to Du Plessis' letter, which was referred to committee on October 30 with a letter of recommendation from the marquis de Lafayette, see *JCC*, 12:1078, 1096-98, 1104-5.

Henry Laurens to Jean de Gimat

Sir

5th November [1778]

I had the honor of presenting to Congress your Letter of this date and I am directed to signify to you that under a sense of your zeal and services in the American Army the House is entirely satisfied with your conduct.¹

I Am also directed to present you with five thousand Livres tournois and two hundred Dollars as a gratuity for defraying your expences; for the former sum you will find inclosed herein, a Bill of this date on the Minister of America at the Court of Versailles, and for the latter a Warrant on the public Treasurer in this City.

I have the honor of wishing you a safe return to your Native Country and of assuring you that I am, With great Respect,

Sir &c.

LB (DNA: PCC, item 13).

¹ JCC, 12:1104-5. Lieutenant Colonel Gimat's November 5 letter to Laurens is in PCC, item 78, 10: 121-24.

Henry Laurens to the Marquis de Lafayette

5th November [1778]

I beg leave to refer you to what I had the honor of writing under the 30th Ulto.

Your Letter to Congress of the 27th was duly presented, and after mature consideration the House Resolved to make a gratuity to Lieutenant Colonel Gimat of five thousand Livres and two hundred Dollars to Monsr. Capitaine du Chesnoy a Brevet Commission to rank Major in the Army and two thousand four hundred Livres.¹

To Monsr. Pontjebeau [Pontgibaud] Eleven hundred & fifty Livres.

To Monsr. de la Colombe [La Colombe] Eleven hundred & fifty Livres.

Colonel Gimat has received the Bills for the sums granted to him—for the several other sums you will find the necessary drafts on the American Minister at Paris and also Major Capitaine's Commission inclosed within the present Cover and you will be pleased Sir, to make the proper distribution of these Papers.

The Treasury Board have repeated that they are unable to make any arrangement of the Papers which you left implying a demand on the Public for Money advanced in the Northern department; they have requested my assistance which I think can add little to their own discoveries, and that their labors must end in presuming on some given Amount which will be paid to your Order,² and if it shall here-

after appear to have been less than is really due, Congress will immediately upon proper notification order the remaining Balance to be discharged.

One thing still rests undetermined a Nomination of a Person to whom you may apply in case of Doctor Franklin's death or other inability. I shall urge the House again this Morning on that point and shall have the honor, I trust, of informing you tomorrow of their Resolution.³ I am, With the highest Esteem & Respect

LB (DNA: PCC, item 13).

¹ For Lafayette's recommendation of a number of his officers and disappointment at Congress' failure to grant the promotion of a number of them, see *JCC*, 12:1068-69, 1078, 1096-98, 1104-5; and Laurens to Lafayette, October 30, 1778, note 2.

² For Congress' November 7 resolve compensating Lafayette for his "expences and disbursements in consequence of his appointment to the command of the northern Department, in February last," see *JCC*, 12:1110.

³ See Laurens to Lafayette, October 30, 1778, note 1.

Henry Marchant to Nathanael Greene

Dear Sir,

Philadelphia Novr. 5th, 1778.

Yours of the 15th of October by Dr. Hutchinson I recd.¹ In my last ² I mentioned to you that I could have wished to have seen [you and] the Business of your Depart[ment have] allowed you to have visited this City. I think the Heads of Departments should now and then put themselves near Congress—Much advantage might result thereby. The Members might be better informed of the Situation & wants of the Departments, and you would more clearly see the Views & Wishes of Congress, and be perhaps usefully informed of many Matters, and abuses, which reach Our Ears; if not as a Body [then as] individuals. That there are some [. . .] Abuses in all the Departments, I am sure of, and Ld. Chesterfields Observation can hardly be admitted. For I believe the Frauds and Abuses are infinitely beyond what they are known to be. We are in the pursuit of some few, tho' of a deep die. The Complaints in Maryland & Delaware are of the most grievous abuses of Swarms of Deputy Quarter-masters, or such as pretend to be so—assistants, Deputy assistants &c &c. Their Insolence & [. . .] upon the People. One Letter [. . .] Congress immediately to take into Consideration the Grievances they labour under, that the great Disproportion of disaffected in that State, are increased by these People and even good Whigs staggered. That the publick Monies are in private use may not be doubted of. And Men will do well to consider how they will support a Character with the Publick, who while they hold important offices under Congress with great Perquisites and

entirely in the money Way, they are launching out in Trade foreign and domestick—and of the most [. . .] In vain may they say, they tend [. . .] private Fortune. For if true, their Characters will not be screened from great Suspicion. And with Truth it will be said their Commissions and perquisites are sufficient to demand all their Time and Attention, which cannot be, if privately embarked in extensive Business. You will inquire—if Things are so round You. Let me beg that your Eyes and Ears may be fully open, retaining (as I know you will) an unbiased Mind & Determination. I have a Reg[ard for the] Publick—and I have I do assure you a Regard for Your Honor and Character, and am very desirous it should continue not only to deserve, which I am sure it will, the Applause of your Country, but that it should not suffer Reflections from any, for the Misconduct of others. 'Tis from these Principles I write so freely—I mean it for your private use; not to promote unnecessary Jealousies, but to promote a a Scrutiny and proper Examination. And If I in some good Measure serve the Honor of your Department, and the Publick I shall be ve[ry satisf]ied for these few Moments spe[n]t on the Subj[ect].

I expect to return in about a fortnight; I shall be happy to meet you on my Way, but fear you'll be rather too far Northward. I am
Dear Sir, yr. Friend & Servt. Hy. Marchant

RC (MiU-C: Greene Papers).

¹ Gen. Nathanael Greene's October 15 letter to Marchant is in Greene, *Papers* (Showman), 2:546–47.

² This is probably a letter from Marchant of September 16, which has not been found but to which Greene was responding in his October 15 letter to Marchant. *Ibid.*

John Penn to Richard Caswell

Dear Sir,

Philada. Novr. 5th, 1778

The Bearer Mr. Seagrove this day informed me that he should set out tomorrow for the Southward and that he had some business to Transact at New Bern. I have taken the liberty to introduce him to your Excellency as a Stranger.

Inclosed I send you a Copy of the aliance Between France and the United States.¹ There are a considerable number to be printed for the use of the different States. I thought it my duty to inform you of the Treaty as soon as I was at liberty to do it. The reason why it has been kept back, was, that we have directed our Minister in France to apply to that Court to strike out the eleventh and twelfth articles.²

By our last accounts from Europe Spain has a large Fleet ready to act, her Flotas have got home & that Court seem disposed to act vigorously against Britain; in a short time.

From General Washington's letter this minute read it appears that the enemy intend to evacuate New York soon,³ a very large number of the Troops having gone on board Transports.⁴

The Delegates from No. Carolina intend to write to your Excellency soon, an official letter, they only wait the determination of Congress relative to a matter of a public nature, which I expect will be in a day or two.⁵ I have the honor to be with great respect, Your Excellencys Mo. ob. Servt.

John Penn

RC (NJR: Elsie O. and Philip D. Sang deposit, 1972). Tr (Nc-Ar). RC incomplete; missing part supplied from Tr.

¹ See *JCC*, 12:1101.

² See Committee for Foreign Affairs to the Commissioners at Paris, May 14, 1778, note 2.

³ Remainder of text taken from Tr.

⁴ See *JCC*, 12:1102; and Washington, *Writings* (Fitzpatrick), 13:190-91.

⁵ Penn is undoubtedly referring to the plan for an expedition against East Florida that Gen. Robert Howe proposed in a letter Congress read on November 2 and that the delegates approved the same day. See *JCC*, 12:1091; Cornelius Harnett to Caswell, November 10, note 1; and Henry Laurens to Caswell, November 14, 1778, note 2.

William Duer to William Alexander

My dear Lord,

Phila. Novr. 6th. 1778

Mr. Saml. Curson Junr. Son of Mr. Curson whom you must have known in New York has desired me to request your Permission to meet his Brother in Law Mr. Seton upon the Lines in Case the Enemy will permit him to come out.

This Young Gentleman, Since the Commencement of the War, has been settled at St. Eustatius from which Place he has sent very Considerable Supplies of Arms, Ammunition &c. to Congress, and has manifested an Unequivocal Attachment to our Cause.¹ His long Absence from his near Relations and his Apprehension that some of them may quit New York with the Enemy, before he has an Opportunity of seeing, or Enquiring particularly after them, makes his [him] Anxious for this Interview. You will therefore gratify an amiable Young Gentleman, and oblige a Friend in complying with this Request—which I suppose will not be inconsistent with your Line of Duty.

As I have resigned my Seat in Congress, and Expect daily a Notification on the Part of the State of the new Delegation, I shall as soon it is received measure my Steps homewards, and on my Way spend three or four Weeks with my Friends in New Jersey.² I know it will give you pleasure to find that by the taking of Dominica from the French the most Considerable Part of my Fortune wh. was in great

Jeopardy, has reverted to its old master—I am, My Dear Lord, With
Affectionate Esteem, Yours, Wm. Duer

RC (PHC: Roberts Collection).

¹ Samuel Curson (ca. 1753–86), son of New York merchant Richard Curson (1726–1805), represented the Continental Congress and the family firm of Curson & Seton on St. Eustatius. When the British attacked the island in 1781, he was captured and taken prisoner to England. See Wharton, *Diplomatic Correspondence*, 4:405, 624; and Jay, *Papers* (Morris), 1:209n.7. For the interesting possibility that Duer also wished to nominate Curson as one of the newly established commissioners of accounts, see *JCC*, 12:1086.

² Duer continued to attend Congress until at least November 16, the last day he is recorded in the journals on a roll call vote. *JCC*, 12:1134–35. For a brief assessment of Duer's congressional service and especially of the use he subsequently made of the relationships he established with various officials while representing New York in Congress, see Robert F. Jones, "William Duer and the Business of Government in the Era of the American Revolution," *William and Mary Quarterly*, 3d ser. 32 (July 1975): 396–98.

Henry Laurens to Gosuinus Erkelens

Sir

6th November [1778]

I had the honor of presenting to Congress your Letter of the 15th Ultio. together with a Plan for negotiating a Loan in Holland which the House have duly considered and have directed me to return their thanks for your zeal in the service of the United States and to inform you that Congress have not yet prepared to enter upon a Negotiation for the Loan which you have suggested.¹

The Plan according to your desire will accompany this. Congress have granted a Brevet Commission of Lieutenant Colonel to Mr. Dircks.² I have the honor to be &c.

LB (DNA: PCC, item 13). Addressed: "Goseinus Erkelens Esquire, Hartford in Connecticut. by Col. Dirck."

¹ For Congress' November 5 resolves on Erkelens' plan for negotiating a Dutch loan, see *JCC*, 12:1106; and Andrew Adams to Jonathan Trumbull, Sr., August 11, 1778, note 2.

On November 8 Laurens also wrote the following brief letter to Governor Trumbull on this subject:

"Since I had the honor of writing to you the 16th Ultio. by Brown your favor of the same date reached me and was immediately presented to Congress. I am directed to intimate to you Sir, that Congress are not yet prepared to adopt the Scheme of a Negotiation for the Loan proposed by Mr. Erkelens. I have written to that Gentleman to this effect and acknowledged the thanks of Congress for his zeal in the Service of the United States." PCC, item 13, 2:155.

² *JCC*, 12: 1106.

Henry Laurens to George Washington

Sir

6th November [1778]

Since my last Letter under the 1st Instant, I have had the honor of presenting to Congress Your Excellencies favors of the 29th and 31st Ult. together with the Papers which accompanied each, the former is committed.¹ Doctor Connellys' case has been long submitted to a Committee and I am told a Report will be made very soon. I sent Your Excellency's Letter to him in Goal.²

Inclosed with this Your Excellency will receive Copy of a Letter from the State of New Jersey without date, but it came to hand the 1st Instant. Congress desire you Sir, to consider the subject matter of that Letter and to take such Measures thereon as to you shall appear necessary.³

I have by Order of Congress Commissioned Major Diricks by Brevet to rank Lieutenant Colonel.

Captain Capitaine du Chesnoy to rank Major by Brevet. Both these gentlemen are going to Europe immediately. I have the honor to be &c.

LB (DNA: PCC, item 13).

¹ Washington's October 31 letter is in PCC, item 152, 6:427-28, and Washington, *Writings* (Fitzpatrick), 13:190-91. His letter of the 29th, which is not in PCC, was printed by Fitzpatrick, 13:174-77, from the draft in the Washington Papers, DLC.

² For John Connolly's case, see Committee of Congress to Connolly, November 5? 1778.

³ For Washington's November 16 response acknowledging receipt of Laurens' November 6 letter "with the inclosed copy of a letter from the President of the Council of New Jersey, relative to an expected attack upon the Western frontier of that state," see Washington, *Writings* (Fitzpatrick), 13:263-64.

Henry Marchant to William Greene

Sir,

Philadelphia Novr. 6th 1778

I am to inform your Excellency that Congress have lately arranged their Treasury, appointed a Comptroler and Auditor General of Accmpts and two Boards of Commissioners of Accounts, who are to settle and adjust all Accounts deliver'd to them by the Comptroler Genl. That those Commissioners should be appointed from as many different States as possible was highly necessary, and I conceived it my Duty to nominate a gentleman from our State. I knew Mr. Peter Phillips had been long acquainted with the Nature of Army Accounts, I knew him to be a Man of Integrity, and tho' his Services might be wanted at Home, yet I conceived he might be more beneficial here in that Department, and as he was a single

Man, he might remove with more Ease than many others. I trust this Nomination and appointment will not be disagreeable to the State, nor to him.¹ If your Excellency shall be of my Opinion, I hope you will see him yourself and use your Influence with him to accept. I need not suggest to you Sir that the settling of the publick Accounts is a Matter of great Consequence, and as there are but two Gentlemen appointed Commissioners from the Eastern States, I think it of Importance that those should serve; as the Nature of the Accounts in the different Parts of the Continent are very different in many Instances, it is highly necessary that Persons from those different Parts should be in Commission, that such Explanations may be made as that Justice may be done to the several States as well as to the whole. I hope I need not add upon this Subject. I inclose you a Letter to Mr. Phillips,² your Excellency will be so kind as to see that it is deliverd, I could wish you could deliver it with your own Hands, that you might converse with him at the same Time upon the Subject of it.

Expecting to set out on my Return in about a fortnight I remain,
Your Excellencys most obedt. and very humble Servt.

Hy Marchant

P.S. Novr. 11th, 1778. Mr. Ellery arrived last Sabbath. I expect to set out next Week. I enclose you the Papers of the Week, and the Plan of the Arrangement of the Treasury.

RC (R-Ar: Letters to Governors).

¹ Peter Phillips, an assistant in the Rhode Island General Assembly, had been appointed as a "commissioner of the chamber of accounts" on November 3. See *JCC*, 12:1086, 1096; and Bartlett, *Records of R.I.*, 8:386.

² Not found.

Marine Committee to Thomas Johnson

Sir

November 6th 1778

We are informed by Letter from William Smith Esqr. our Agent at Baltimore that a Sloop called the Friendship, Edward Freeman Master, on which he had shipped some flour for the use of the Navy in the Eastern Department, and the Commissary of Purchases had laded the remainder of her Cargo for the use of the Army, had been seized by the Naval Officer of your State at Baltimore.

We are now to inform your Excellency and Council that having conferred with the Commissary we find the Cargo of Said Vessel to be entirely public property, Shipped by our Agent afsd. by order of this Committee and by the Commissary General of Purchases who are fully authorized by Congress for that purpose. We therefore

request that Orders may be given for the releasment of the said Vessel as the provisions are exceedingly wanted for the use of the Army and Navy at the Eastward.¹ There is also a vessel at Baltimore a Sloop called the Swan under the Care of our agent afsd. which we have Ordered to be laded with flour from the Public Stores & for which we request you will grant permission.²

We have the Honor to be, Your Excellencys obedt servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

¹ For the Maryland council's response to this request, which on November 16 directed Benjamin Nicholson, the judge of the Maryland Court of Admiralty, to delay the sale of the *Friendship* until it could review the proceedings of the case, see *Md. Archives*, 21:239.

² The Marine Committee also wrote the following letter this day to William Smith:

"We have received your Letter of the 31st ultimo in consequence of which we have this day wrote to the Governor & Council of your State on the subject of the seizure of the Sloop *Friendship*, which we expect will procure her releasment, but least that should fail we shall lay your Letter with a state of the affair before Congress and get their determination thereon.

"We have wrote for permission to lade the Swan and doubt not the same will be granted." Paullin, *Marine Committee Letters*, 2:24.

Samuel Holten's Diary

[November 7, 1778]¹

7. Saturday. I received a number of Resolutions from our Court, one appointg. me a delegate from our State & some instructions, &c.² The weather is warm.

MS (MDaAr).

¹ Holten's entries for the two preceding days contain the following information: "Thursday. Genl. Whipple came to board with us—& Mr. Kean dind with us. Friday. The delegates from the Massa. Bay dined with the president."

² On October 8 the Massachusetts General Court had elected Holten, Samuel Adams, Francis Dana, Timothy Edwards, Elbridge Gerry, John Hancock, and James Lovell delegates to Congress. The council then directed that at least four delegates must attend Congress at all times but specified that any three of them could act on behalf of the state. Massachusetts Council Records, October 8 and 15, 1778, DLC(ESR).

Henry Laurens to William Alexander

7th November [1778]

I troubled your Lordship with a few lines the 5th Instant by Mr. Jackson.

The same Morning I had the honor of presenting to Congress your Lordship's Intelligence under the 3d Instant respecting the movements of the Enemy:¹ we hope soon to learn of their total disappearance.

I detained this Messenger a day, hoping to have conveyed by his hands Dispatches of importance for the Commissary General of Prisoners.

I have nothing to offer your Lordship but the two latest Newspapers, and the repeated assurance of being, With very great Respect & Esteem, Sir, Your Obedient and Most Humble Servant.

LB (DNA: PCC, item 13).

¹ Alexander's November 3 letter to Laurens is in the William Gilmore Simms Collection deposit, MHi. That it was presented to Congress is not mentioned in the journals. Alexander had reported: "The fleet at Sandy Hook was yesterday increased to 108 Sail Men of War and transports, at seven this morning they weighed anchor and stood out to sea, by eight they were all out of sight from Amboy."

Henry Laurens to John Beatty

Sir

7th November [1778]

My last was under the 22nd of October, since which I have had the honor of presenting to Congress your favor of the 30th of that Month, together with Mr. Commissary Dick's of the 29th. I was in hopes Congress would have enabled me to have returned a decided Answer to the subject matter of that Letter by the present Messenger, but it still remains in the hands of a Committee, you shall be immediately informed when the business is matured, in the meantime I return you herewith a Copy of Mr. Dicks' application; the Original is with the Committee—I apprehend the only answer you have to make to Mr. Dick at present is that you have received no directions from Congress.¹

I am sorry to find the exchange of the Honorable Mr. McKinley has been delayed by loss or miscarriage of the Act of Congress of the 14th of September which a particular friend of that Gentlemans undertook to convey in a proper manner for the purpose intended; You will receive with this a Copy of the Act, and will take the most speedy and effectual measures to carry it into execution.² I have the honor to be, Sir, Your Obedt. Humble Servt.

LB (DNA: PCC, item 13).

¹ Beatty's October 30 letter to Laurens, in which he enclosed a letter of October 29 from James Dick, secretary to Adm. James Gambier, is in the Peter Force Collection, DLC. It is endorsed by Charles Thomson: "Letter from J. Beatty, Comy genl of Prisoners, Octr. 30, 1778. Read 4 Nov. Referred to Mr. Witherspoon, Mr.

Drayton, Mr. S. Adams." Dick's letter to Beatty, which is also in the Force Collection, contains a demand from Gambier for the immediate release of Lt. Christopher Hele of H.M. Sloop *Hotham*, and its crew and pilot, Abraham Whiltbank. These men had been captured when the *Hotham* ran aground in the Delaware while attempting, under cover of a flag of truce, to deliver packages of the Carlisle Commissioners' October 3 "Manifesto." See Samuel Adams to Timothy Matlack, October 16, 1778, note.

The issue posed by Admiral Gambier was a troublesome one, for he insisted that Congress' action in holding these prisoners was "in direct breach of the sacred regard held & maintained by all nations in respect to Vessells bearing Flags of Truce." Notwithstanding his protest, however, Congress insisted that the manifestos were seditious and therefore their distribution constituted an "illicit" practice that could not be cloaked under a flag of truce. The committee to whom Beatty's letter was referred were still deliberating a response to Gambier when another protest from the admiral of November 15 was received, threatening retaliation if Lt. Hele and the *Hotham*'s crew were not released. Not until November 28, therefore, did the committee finally submit the draft of a formal response to Gambier, which was immediately adopted and sent over the signature of President Laurens. See *JCC*, 12:1114, 1163, 1168-69, 1187; Laurens to Beatty, November 10; and Laurens to William Alexander, November 26 and 29, 1778.

² See Laurens to John McKinly, November 1, 1778.

Henry Laurens to Caesar Rodney

Sir,

Philadelphia 7th November 1778.

I had yesterday the honor of presenting to Congress Your Excellency's favor of the 4th Inst. & received an Order from the House to request that Your Excellency will call the General Assembly together as early as possible. This will more fully appear by an Act of Congress herein transmitted.¹

It is the earnest desire of Congress that the Assembly may attend to the Articles of Confederation immediately after their Meeting & be decided in their Instructions to their Delegates.

I have the honor to be, With very great Esteem & Respect, Sir, Your Excellency's Most obedient & humble servt.

Henry Laurens, President of Congress.

RC (DeHi: Brown Collection).

¹ For Rodney's November 4 letter to Laurens and Congress' November 6 resolve asking President Rodney to call a special session of the Delaware Assembly, see *PCC*, item 70, fols. 675-78; and *JCC*, 12:1107.

Marine Committee to the Pennsylvania Council

Gentlemen,

Marine Committee, Philada Novemr 7th, 1778

The Minister of France having applied to this Committee for the use of a small Vessel to precede the French frigate Chimere down the

Bay of Delaware for the purpose of reconnoitering; and as it is not in our power to furnish a suitable Vessel, we request the favour that you would order the State Sloop commanded by Captain Wade, to go on this service when required, of which we shall give him notice.¹

We shall pay any expences that may arise during the time we have the loan of the Sloop, and shall thankfully acknowledge the favour.

We have the honor to be, Gentn, your most obed. Servt, By order of the Committee,

S. Adams

Reprinted from *Pa. Archives*, 1st ser. 7:76. Addressed: "The Honorable the Vice President & Council of Pennsylvania."

¹ On November 10 the Pennsylvania Council ordered "Capt Wade in the State Sloop" to conduct the *Chimere* down the Delaware Bay. *Pa. Council Minutes*, 11:619.

Elbridge Gerry to James Warren

My dear Sir

Philadelphia, Novr 8th, 1778

I am a little apprehensive that some of my Friends will consider Silence to their Letters, wch an indifferent State of Health & much Fatigue has for some Time rendered inevitable, as an abatement of Friendship, but conscious of the sincerest Esteem for my Friend General Warren & having long experienced his Candour, I flatter myself he will consider such omissions, as they really are, the Effects of Necessity. I shall trouble You with little in Answer to your several Favours of the 13th May, 7th July, 4th August, & 3d September last,¹ as their early Dates renders it unnecessary. The Marine Commee, I presume, have taken the proper Steps to do Justice to Capt. Manly,² the Bravery of this Officer seems not to be questioned, but many appear to Want Confidence in his Abilities & Experience, & on that Ground oppose his being high in office: I presume not to judge of their Motives & Designs on this Occasion, or without further Information, of his Character as an Officer. I am much concerned to find, that You intend to quit the business of the navy Board,³ as it will be soon an important & respectable Department. Under the present State of Affairs it is impossible to do Justice to the Commissioners, but Congress have increased their Salary to 3000 Dollars per Year⁴—Perhaps you consider the Levity of the Times as an Argument for Quitting the Service, if so, I will readily acknowledge that the Vices of some & Follies of others are very displeasing; but in a Revolution like the present, neccessarily producing an entire Change of the Governments & Constitutions of thirteen States, the Suspension of Law & Justice, the Want of necessary Arrangements for preventing Frauds, & the most favorable oppertunities for Speculators & Engrossers, it

must reasonably be expected that the Morals of the people will be greatly injured, & for a while, present a gloomy prospect. But I trust, there is yet Wisdom & Vertue enough in America to recover her Citizens from their Errors, & lead a brave & deserving People into paths conducive to their Happiness. True it is, the Work is arduous, And it is equally true, that it is necessary; for should We exceed in Power & Wealth every Empire on Earth, and neglect the Morals of the people, is it not evident, that our Independance, instead of Freedom would produce a Slavery, far exceeding that of every other Nation? If the best & ablest Friends of America, who under providence have opposed the corrupt Arts, not less than the powerful Arms of G Britain, will unite in checking the Cancer of Vanity, Vice, & Folly, the Leaders of this feeble Train will vanish at the Appearance of Opposition, & leave the Way clear to the promotion of the opposite Virtues; but if on the Other Hand, those on whom We have principally relied, should suffer themselves to be disgusted at the natural appearance of *Bubbles* on the mighty Ocean of our affairs, & withdraw from the Service, I fear that our Liberties, like such shortlived *phenomenons* will burst, & leave not behind, a Trace of their former Existence. I know that You have had much Fatigue and Tryal, & met with many Things that are very disagreeable, & assure You that We have had a full Share of these in Congress; I most ardently wish to return to my native Country, & cooperate with my Friends in their salutary Measures. Pray confer with our Friend Mr. Dana on these affairs, as I am persuaded he can inform You of many Things which will assist you in pursuing the necessary Measures.

Adeiu my Dear sir after receiving my Warmest Wishes for the Health & Happiness of your Lady, self, & Family & beleive me to be your sincere Friend & hum Servt,

E. Gerry

RC (MHi: Warren Collection).

¹ James Warren's May 13, July 7, and August 4 letters to Gerry are in C. Harvey Gardiner, ed., *A Study in Dissent: The Warren-Gerry Correspondence, 1776-1792* (Carbondale: Southern Illinois University Press, 1968), pp. 117-18, and 123-27.

² See Marine Committee to the Eastern Navy Board, July 24, note 5; and Samuel Adams to James Warren, July 27, 1778, notes 1 and 2.

³ See Samuel Adams to Warren, October 20, 1778, note 3.

⁴ Congress took this action on October 31. *JCC*, 12:1085.

Henry Laurens to William Malcom

Sir

8th November [1778]

Since my last of the 9th of August, I had often urged Congress on the subject matter of yours of the 1st of that Month meaning more particularly the appointment of a Garrison Chaplain. At length, after

laying before the House your repeated applications in your Letter of the 7th October and your Message by Captain Powell,¹ your first Letter was called for, and the Reverend Mr. John Mason appointed Chaplain to the Garrisons in the Ports on Hudsons River in the Highlands with the pay and subsistence of a Brigade Chaplain as will appear more fully by an Act of Congress of the 2nd Instant—which you will receive in company with this and will be pleased to transmit it to the Chaplain with my Compliments.² If Mr. Mason has officiated in the Character of Chaplain for any time antecedent to the present appointment I have no doubt but that a Memorial certified by you will induce Congress to make a proper retrospect.

I had the pleasure of Captain Redman's Company once since he came to town. He left very favorable impressions on my Mind, and I shall be glad to see him again.

It is too probable that such an itinerant Committee as you recommend would have happy effects.³ The necessity even for a suggestion of this nature is mortifying, and carries with it a severe reflection on those who are squandering and peculating while Members of Congress are laboring without fee or reward every day through the Year in the same Cause. I am nevertheless much obliged to you Sir, for the hint, and will endeavour to improve it.

Captain Powell tells me he takes with him all the late Newspapers. These contain our present Intelligences from New York. Therefore I will not detain you further than to repeat the assurance of being, With great Respect & Regard

LB (DNA: PCC, item 13). Addressed: "Colonel William Malcom, Fort Clinton, by Brown."

¹ Malcom's October 7 letter and September 5 "Message by Captain Powell" are not in PCC, but copies of them are in the Laurens Papers, no. 16, ScHi.

² See JCC, 12:1091; and Laurens to Malcom, August 9, 1778, note.

³ In his October 7 letter, Malcom had written: "If a few Members of Congress were occasionally to take a ride about the Country especially near the Army to Attend to the Economy of the several departments I am confident they would see the propriety of Correcting many abuses and indeed in many Cases of establishing quite new Systems."

William Whipple to Richard Henry Lee

My Dear Sir

Philadelphia 8th Novr 1778

On my arrival here the 4th inst. I had the pleasure of receiving Your favor of the 31 Ultio at the hand of Our Mutual Friend Mr Adams. I Esteem myself highly Obligated by this token of Your remembrance, but should have been much Happier to have found you here. May I hope my loss will in some measure be made up by fre-

quently hearing from you? which I flatter myself Your Retirement, will afford you opportunities of Gratifying me in.

You may be assured my attention will be much engaged in Marine Matters, & it will afford me perticular satisfaction to cooperate with you in that Business when you return here, which it is my sincere wish Your business may speedily admit of.¹

I left Mr. Langdon very well the 20th Octo. He very peticularly desired his respects to you.

Please to make my most respectful Compliments to Your Good Lady, who I hope will so far retract her promise, as to give me an opportunity (when peace is happily Established) to introduce her to such persons in Portsmouth as will be very happy in having an opportunity of making a visit to that Cuntry agreeable to her.

I have taken up my Quarters at *Liberty Hall* where you know is a set, well agreed in Political Sentiments, & I think I may say with great certainty that they are as well agreed in sentimen[ts] of Esteem & Respect for you. I anticipate the pleasures of some long winter Evenings where with a Social *pipe* and Friendly Glass we shall call to mind our worthy Friend & Heartily join in wishing he may soon add to our little Circle.

I have nothing new at present to give you, whenever any thing happens that I think will give you pleasure be assured it will be a double pleasure to me to communicate it.

I am dear Sir with the utmost Sincerity, Most Respectfully Yours,
Wm. Whipple²

RC (PPAmP: Lee Papers).

¹ Whipple had been appointed to the Marine Committee on November 6. *JCC*, 12:1106. See also Samuel Adams to James Warren, November 9, 1778.

² Lee's November 29, 1778, response to this letter, written from Chantilly, Va., where he remained on leave from Congress until the following February, offers detailed advice to the Marine Committee on the disposition of the Continental Navy. The letter is in Lee, *Letters* (Ballagh), 1:453-55. For a letter containing information on congressional affairs that Lee wrote soon after he returned home, dated "Chantilly Novr. 15th 1778" and directed to Gov. Patrick Henry, see *ibid*, pp. 451-53. In addition to the court-martial of Gen. Charles Lee and the depreciation of Continental currency, Lee explained to Henry the refusal of Maryland, Delaware, and New Jersey to ratify the Articles of Confederation. "Maryland," Lee reported, "I fear will never come in whilst our claim remains so unlimited to the westward. They affect to fear our power, and they are certainly envious of the wealth they suppose may flow from this source—It is not improbable that the secret machinations of our enemies are at the bottom of this—Some of the most heated Opponents of our claim, say that if we would fix a reasonable limit, and agree that a new State should be established to the Westward of those limits, they would be content to confederate. What do you think Sir of our proposing the Ohio as a boundary to the Westward, and agreeing that the Country beyond should be settled for common good and make a new State on condition that compensation reasonable should be made us for Dunmores, Colo. Christians, and our late expedition. This might perhaps be agreed to and be taken well as coming freely from us.

When we consider the difficulty of republican laws and government piercing so far from the seat of Government and the benefit in point of æconomy from having a frontier State to guard us from Indian wars and the expence they create, I cannot help thinking that upon the whole this would be our wisest course."

Samuel Adams to James Warren

My dear Sir

Philada Novr 9th 1778

I have receivd your favor of the 7th of October by Mr. Dod. I cannot say that I am by any Means pleasd with the inclosd Letter to ———. ¹ I am glad however that you allowd me the Perusal of it before its Presentation. I consider the Confidence you place in me in this Instance as sufficient to warrant me in delaying to deliver it, till I shall hear further from you, which I will accordingly do in hopes that you will alter your Determination.

We now begin to hope for Peace soon on our own Terms; or if the War should continue longer, that it will be conducted in such a Manner as will render a large Army less necessary, which will enable us to be at greater Expence for an American Navy; the building up of which is looked upon by all wise and good Men whom I converse with as necessary and highly important. General Whipple is again returnd to Congress; and as he is a Man of Sense and great Experience in Marine Affairs, and was formerly of the Marine Comte., I was solicitous that he should again be of the Number. Congress have added him to the Committee, and I hope he will act as Chairman during the Absence of Col. Lee who is gone to Virginia. From several Hints which Genl. W. has dropt to me, I am in Hopes that Measures will be come into which may add Weight to your Board & facilitate the Business of it.

The Navy Boards especially that in the Eastern Department where it is probable there will constantly be a great Resort of our Ships of War, will be standing Boards, and of the greatest Importance to the United States. The best Men must fill those Places. I will not, least you should think me indelicate, add more on this Subject, than my *earnest Request* that you will for the present suspend your Resignation.

I am glad that you have discoverd the Mistake you mention, and will communicate it.²

The Picture, my dear Friend, which you give me of my beloved Native town mortifies me greatly. I had the Vanity to think she would afford Examples of Industry, Frugality, Temperance & other publick Virtues. I fear with you that we have lost our Labour. When ambitious Men aim at establishing a Popularity by confounding the Distinction between Virtue and Vice and through the Degeneracy of Times they can effect it, the People will tamely submit to a Master. Adieu.

RC (MHi: Warren-Adams Papers). In Adams' hand, though not signed.

¹ It seems clear that "your favor of the 7th of October" is actually Warren's letter to Adams of October 25, which contains a postscript of the 27th. Not only has no October 7 letter been found, but Warren enclosed his resignation from the Eastern Navy Board, the subject of this paragraph, with his October 25-27 letter. *Warren-Adams Letters*, 2:59-62. For Adams' successful effort to deter Warren from following through on his resignation, see Adams to Warren, October 20, 1778, note 3.

² In the letter of resignation he had enclosed for Adams' perusal, Warren had explained that he could now account for "a considerable part of the deficiencies" still outstanding from his unsettled paymaster general accounts. Col. Loammi Baldwin, Warren explained, "has paid into my hands 576 dollars which after long Enquiry he has been Able to Account for no other way than by his receiving it from my office by mistake." Acting on a request from Warren, Congress subsequently directed the transfer of this sum to the accounts of the navy board of the eastern department. See *JCC*, 13:63, 72; and *Warren-Adams Letters*, 2:62-63.

Henry Laurens to George Bryan

Sir

9th November [1778]

Inclosed with this I have the honor of transmitting you an Act of Congress of the 7th Instant for laying before the Supreme Executive Council of the State of Pennsylvania a Letter of David Franks dated the 18th of October last, and the minutes of the proceedings of Congress thereon, together with the said Letter and Minutes.¹ I have the honor to be &c.

LB (DNA: PCC, item 13).

¹ See *JCC*, 12:1110-11; and Laurens to Washington, October 22, 1778, note 4.

Marine Committee to the Eastern Navy Board

Gentlemen

November 9th 1778

We have been favoured with yours of the 19th & 28th Ultimo the latter of which containing many important matters we shall take time fully to deliberate upon and will make it the subject of a future Letter.¹ Your reasons for leaving the Ranger at Portsmouth meets our intire approbation.

We have already expressed our wishes for the Speedy equipment of all our vessels, and we doubt not your best exertions will be used for that purpose—if they can be got ready to sail in time the force will be greater than any we have yet been able to send out, and we have Sanguine expectations that something may be done of consequence to make up for the bad success that hath hitherto attended our Navy. To enable you to go on with the business we now Send

by the bearer hereof Mr. Jesse Brown 150,000 Dollars which we hope will be sufficient for some time.² You will give us timely information when more Money will be required which shall be supplied, having the fullest confidence that the business of your department will be conducted with the greatest Economy.

Pray inform the Marquise Delafayette that he is at Liberty to take such Gentlemen with him on board the frigate in which he is to take his passage to France as he may think proper, & if agreeable to him particularly Lt. Colonel Duplessis who is desirous of taking a passage with him. We shall shortly write to you again and in the mean time are with great regard, Gentlemen, Your very hble Servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

¹ The board's October 28 letter to the Marine Committee, which discusses the readiness of Continental ships, the purchase of slops, the exchange of naval prisoners, and the need for funds, is in the Eastern Navy Board Letterbook, NN. For the committee's "future Letter" responding to these issues see the Marine Committee to the Eastern Navy Board, November 16, 1778.

² Congress had made this appropriation on October 31. *JCC*, 12:1085.

Daniel Roberdeau to Nathaniel Owings

Kind Sir,

Philada. Novr. 9th 1778

I have been unwearied in my Endeavours to serve your Interest and that of the other Gentlemen concerned with me, as was my duty, and could I do more, I should not beg[r]udge my labour, as I should not doubt it's issuing in an ample reward to us all. You may yet depend on my utmost exertions, but be assured without the cooperation of both yourself and Mr. Cockey, one of you to be constantly at the Works,¹ until they are fairly put a going, and in the necessary supplies of Provisions &c way without a vigorous cooperation of you both in so arduous a business, I plainly foresee they will come to nothing, or the profits which would arise with œconomy will be absorbed with Expence. I believe it is the loss of many thousands that Mr. Bedwell did not accept my first offer and superintend the building of the first furnace, but by every account he is now acting with great deligence, but he must be kept in his sphere and one of the Owners, at least, constantly employed in procuring live Stock, Wiskey, Flour &c &c &c and in seeing them transported, otherwise it is too obvious to need any argument to prove it that his being employed in any other way than in the Busiiness more immediately committed to him, would be ruinous to our Scheme. A second furnace (a blast furnace) is building, or built by this time and [whether] it will not be ruined thro ignorance, as the first was, I cannot say, as Mr. Bedwell does not pretend to understand working one of that Construction, besides if

there is at present sufficient skill on the spot to direct the Construction, they have no Mason but Fox, therefore anxious for the success I have again sent up Mr. Glen, and taken measure to get a Wm. Steer an old German who lives next adjoining a Mr. Trindle living about 8 or 10 miles from Carlisle to go up, which one of the Owners must see is effected, as the most probable means of success I can think of, next to getting a Mason and Smelters from Chizels work,² this I have also repeatedly attempted, and have received encouragement from Governor Henry, to whom I have wrote and sent my Letter open to Mr. Bedwell as my last effort desiring him, if one of the owners will be on the spot to supply his place in any manner, to proceed to Govr. Henry himself and to the lead Works in that State, if encouraged by the Governor, as the want of Company may have hitherto disappointed our expectations of any Artificer from thence, my reason for wishing Mr. Bedwell to go is, that failing of getting the men, he may pick up some knowledge himself, but if it should prove out of his power to go, then I think you or Mr Cockey should undertake the Journey. Besides these measures I have sent 40 prisoners from fort Frederick, they proving British instead of Germans which I intended, all have proved discontented, and been sent back, except twelve. These I hope we shall retain as I have sent up a worthy Officer Capt. Danl. Topham entirely to manage this department. I shall in day or two send off between 3 & £400 of Cloaths for the prisoners and our other people to prevent their starving with Cold, to be charged to them, these are ready packed and wait only a Waggon to Transport them to Carlisle from thence they must be sent on pack horses to our Works, and have given orders to have them properly packed in convenient packages. I recommend that you call upon the Qr. master at Carlisle, who has orders for this purpose, and see that the goods be sent forward under the care of a proper person & that the Stamp heads and all the other things and persons I have ordered up, are accordingly gone or sent. I wish that you would look out for & recommend a proper person to superintend and carry on the Business of farming for the future supply of our men, for the expence of transportation besides the difficulty of obtaining produce by purchase renders another mode of supply necessary. I am thus particular as my last to you was in general terms refering to what I at the same time wrote to Mr. Cockey, who I expected would go up and take charge of the things in general recommended now, but as you and he are very loath to soil paper and I am left for weeks before I know what is done in consequence of my much writing or wether my letters get to hand, therefore I choose to be particular at present that you may be acquainted with the state of things. My last Letter inclosed £100 for Mr. Cockey did he receive it? and is he gone up? The Cloaths that will be lodged at [Carlisle] I think out [ought] to

be attended to, except you should be of [. . . m]y directions to the Qr. master will be sufficient. I think it is [too grea]t a risque not only on accott. of the money, but [. . .] in danger of loosing the men for want of Cloaths. I am, Sir, Yr. most ob hum Sev,

Danl. Roberdeau

RC (NjMoHP). Addressed: "Mr. Nathaniel Owings, in Baltimore County near Baltimore. Recommended to the Care of Messrs. Saml & Robt. Purveyance."

¹ For Roberdeau's lead mining activities in western Pennsylvania, see Daniel Roberdeau to George Bryan, May 30, 1778, note.

² Perhaps a reference to Chiswell's Mine in Virginia, although none of Roberdeau's correspondence with Gov. Patrick Henry on this subject mentioned below has been found.

William Whipple to John Langdon

My Dear Sir,

Philadelphia 9th Novr 1778

Your letter No 1 is just come to hand. I could have wished you had given me some account of the cartel that arrived from York the day I set out. I found on my arrival here money had been sent you from the Commercial Committee.¹ What you have for the use of the Navy must go through the Commissioners at Boston at present. I find Congress exceedingly pressed with business—the great object is finance—you will (I hope) soon hear what is done in that matter. In the mean time it is the duty of every individual to endeavor to keep up the value of the money. Every movement of the enemy at York seems to indicate their intention of leaving that place.² I have not been able to do any thing yet respecting the Ranger, but hope shall by next post. Every kind of thing is rising here with an unparalleled rapidity—flour is got to 20 dollars and wheat 30/. I could wish to give you a particular account of things here, but time will not permit me. Adieu. your friend &c.

Wm Whipple

Tr (DLC: Force Collection).

¹ On October 6, 1778, Congress had authorized payment of £16,666 $\frac{2}{3}$ to Langdon "for the purpose of lading the French ship *Duchess de Gramont* and other contingent charges." *JCC*, 12:985–86.

² Whipple had still obtained no firm information on British intentions at New York when he wrote to Dr. Joshua Brackett, another New Hampshire correspondent, the following week. "I have no news to tell you," Whipple explained on November 15, "there has been no late accot from Europe. Whether the Enemy will leave New York or not is a mere matter of opinion in which people are much divided." *Sotheby Parke Bernet Catalog*, no. 4844Y (April 28, 1982), item 354.

Connecticut Delegates to Jonathan Trumbull, Sr.

Sir,

Philadelphia November 10th. 1778.

We are honoured with your Excellency's Letter of the 2d Inst. by Messenger Brown.

The Treasury arrangement we herewith transmit your Excellency; and have the pleasure to inform that the choice of Colo. Trumbull to the head of it was unanimous.¹

The equally alarming & embarrassed subject of Finances, is yet under consideration. Congress we trust however, are nearly ripe for resolutions respecting them, which may be salutary if not decisive. A foreign Loan, how eligible soever in our present circumstances, we have yet no assurance can be obtained, & from the present war-like appearances in Europe have perhaps less reason than heretofore to expect it. Establishing a fund by taxes for sinking in process of time the capital debt, & by taxes & an internal Loan taking out of circulation some of the past Emissions to make way for future ones, is all therefore we are certain at present of being able to do. A rapid appreciation is not from hence to be expected, nor perhaps wished for.

The Committee on your Excellencies Letter of the 8th of October² reported in favour of a Commission to be allowed of half per Cent. This mode of allowance some members objected to as having been found pernicious & improper in their opinion to receive the farther countenance of Congress in any case whatever; tho they wished ample justice to be done in this Case & seemed fully sensible it had not been heretofore. The Letter on motion was recommitted to the same Committee who wait a favourable opportunity of reporting again in favour of a gross sum which they hope will be accepted & do justice. The fate of their second report your Excellency will be informed of the earliest opportunity.

Congress have no late foreign intelligence. A Letter from Commissary Loring at N York recd. this day, promises immediately to send out the officers now due to us, & proposes the exchange of the remaining ballance of our officers in their hands for their privates in ours; & that Commissioners be appointed to meet & adjust the matter & settle a full & complete exchange as soon as can be done.³

We are Sir, with great Respect, your Excellencys most obedt. & humbe Servants,

Roger Sherman

Oliver Ellsworth

RC (CtY: Sherman Papers). Written by Ellsworth, and signed by Ellsworth and Sherman.

¹ See Connecticut Delegates to Trumbull, October 15, 1778, note 3.

² That is, Trumbull's October 6 letter concerning his son Joseph's accounts. See Henry Laurens to Trumbull, October 16, 1778, note 2.

⁸ Joshua Loring's October 28 letter to John Beatty was read in Congress on November 9. *JCC*, 12:1113.

William Ellery to Henry Jackson

Sir,¹

Philadelphia Novr. 10th. 1778

I had the pleasure of arriving here after a comfortable Journey last Sunday in the forenoon.² The ride was rendered much more agreeable than it would have otherwise been, by the good behaviour of my waiter. Indeed Hayford's conduct was so very clever that it would give me much pleasure to hear that he was moved out of the rank of a common Soldier. I know nothing of his military abilities but if they are equal to his honesty and activity he certainly deserves promotion.

We have nothing new. I am at Stephen Collins's who sends his regards to you. Heartily wishing you success I am, Yr. very humble Servt,

Wm. Ellery

RC (NN: Emmet Collection). Addressed: "Col. Henry Jackson Providence."

¹ Col. Henry Jackson (1747–1809), commander of one of the "Additional" Continental regiments since January 1777, subsequently commanded the Sixteenth Massachusetts Regiment and became a major general of Massachusetts militia. See Heitman, *Historical Register*, pp. 23, 36; and *Appleton's Cyclopaedia*.

² Although Ellery did not attend Congress until Wednesday November 11, his arrival in Philadelphia on Sunday the eighth is clearly established in his November 7 and 8 entries in his travel journal of his trip to Pennsylvania. "Lodged at Bensalem, Bucks County (William Rodman's). Spent the evening very pleasantly. The next morning rode to Philadelphia and put up for a night or two at my friend Redwood's from thence went to board with that open, generous Whig Stephen Collins, and had John Collins my fellow lodger." Henrietta C. Ellery, ed., "Journal of Route and Occurrences in a Journey to Philadelphia from Dighton, Begun Oct. 24th, 1778, by William Ellery," *PMHB* 12 (1888): 194.

Cornelius Harnett to Richard Caswell

Dear Sir,

Philadelphia 10 Novr. 1778

I had the honour of receiving Your Excellency's Favour of the 26 October yesterday evening. The Post setting out this morning & Congress being met, puts it out of my Power to write a long letter. By every intelligence lately received from New York, Tis imagined the Enemy intend the total evacuation of that Post. I have still my doubts. A Fleet of 108 Sail left That place the 3 Instant Composed of Men of War & Transports full of Troops. Some think they are bound to the Eastward, some to So. Carolina, others to the West Indies.

I fear Mr. Hunt will not be able to put the Accounts of Our State in proper Train for a general Settlement. I wish it could be Effectuated as soon as Possible. I make no doubt Your Excellency has 'ere this received the 400,000 Dollars—150,000 more will be sent off in a few days. Congress have much at heart the routing that nest of Pirates at St. Augustine, & have great expectations from your Excellency's Exertion.¹

Flags of Truce are thought dangerous, as they Often bring Seditious papers in order to distribute them amongst the People.² You will no doubt Sir endeavour to prevent the ill use which may be made of these kind of Sanctions.

I have the Honor to be with the greatest respect Your Excellency's mo.
Obed. humb. Servt. Cornl. Harnett

RC (MeHi: Fogg Collection).

¹ A reference to the East Florida expedition that Congress approved on November 2 and elaborated upon in a series of resolutions adopted this day. See Henry Laurens to Caswell, November 14, 1778, note 2.

² See Congress' October 16 resolve on this issue in *JCC*, 12:1015–16.

Henry Laurens to William Alexander

My Lord

Philadelphia 10th November 1778

I had the honor of writing you a Line under the 7th Instant & since, of receiving Your Lordship's favor of the 5th which I read to Congress yesterday.¹ I thank you for the New York Papers & in company with this transmit three or four of this day's Packet in which I perceive a Letter to Sir Hr Clinton which possibly the Knight may be glad to peruse before he leaves New York ²—this however is not the wish of, My Lord, Your most obedient & Most humble servant,

Henry Laurens, Private.

RC (Tioga Point Museum, Athens, Pa.).

¹ *JCC*, 12:1112. Alexander's November 5 letter to Laurens is in *PCC*, item 162, fols. 547–50.

² A letter directed to "Sir Harry" Clinton and signed "Americanus" was printed in the November 10 issue of John Dunlap's *Pennsylvania Packet*. Calling attention to Silas Talbot's recent capture of H.M. Schooner *Pigot* near Providence, which was boarded and taken without loss of life, "Americanus" contrasted Talbot's humaneness with the "butchery" that marked the surprise assault on Col. George Baylor's troop of light horse the night of September 27–28. Talbot's October 29 letter to Gen. John Sullivan recounting the details of his capture of *Pigot* also appeared in this issue of the *Packet*, "By order of Congress." See *JCC*, 12:1109.

Henry Laurens to John Beatty

Sir 10th November [1778]

I had the honor of writing to you Yesterday by Messenger—a light Horseman from Lord Stirling.¹

Within the present inclosure you will receive the undermention'd Papers to which I beg leave to refer for your government.

1. An Act of Congress of the 7th Instant for the temporary supply of British Prisoners.

2. Extract of a Letter from Sir William Howe to General Washington 19th January 1778 on the subject of supplies of Provision to American Captives in Philadelphia.

3. The Paper referred to by General Howe.

4. An Act of Congress for enabling the Commissary of Prisoners to give an Answer to the peremptory requisition of Admiral Gambier in a Letter from Mr. Dick for the surrender of Lieutenant Hale & others who were wreck'd in the Hotham Sloop.²

5. An Act of the 16th October for punishing by confinement Persons who shall presume under the sanction of a Flag to disperse the Manifesto of the British Commissioners calculated for stirring up animosities, dissensions and Rebellions among the good People of these States, which you are to transmit to Admiral Gambier.

I likewise return Mr. Dick's original Letter—I perceive the Secretary has only given me the Cover of Mr. Dicks' Letter—'tis too early to mend the mistake this Morning; the Letter shall be in my next. I send you two of this days Papers. I Am &c.

LB (DNA: PCC, item 13).

¹ Apparently Laurens' November 7 letter to Beatty.

² See *ibid.*, note 1.

Henry Laurens to William Heath

Sir, Philadelphia 10th November 1778.

Since my last address under the 22d October by Jones I have had the honor of presenting to Congress your sundry favors of the 13th, 21st, 29th & 29th of that Month.¹ The first was Committed to the Committee on Ensign Brown's case ² who have not yet reported, nor have the Board of War to whom the second was referred.

In answer to the general contents of the two latter I beg leave to refer you to an Act of Congress of the 9th Inst. for indulging Major Harnage, Capt. Hawker, Mrs. Reynolds, her Children & servants as far as circumstances will admit of, which Act you will receive under the present cover accompanied by an Act of the 21st October for regu-

lating the Exchange of Officers.³ I have the honor to be, With great Esteem & Regard, Sir, Your most obedient & most humble servant,
Henry Laurens, President of Congress.⁴

RC (MHi: Heath Papers).

¹ See *JCC*, 12:1053, 1084, 1109, 1114. Heath's letters of October 13, 29, and 29, are in *PCC*, item 157, fols. 213-22. The draft of his October 21 letter is in the Heath Papers, MHi.

² See Laurens to Heath, June 20, 1778, note 2.

³ *JCC*, 12:1114.

⁴ This day Laurens also wrote a brief letter to John Avery, deputy secretary of the Massachusetts Council, enclosing "fifty Commissions and an equal number of Instructions and Bonds," which he sent in response to Avery's request for "blank Commissions for private ships of War in the State of Massachusetts." *PCC*, item 13, 2:157.

Henry Laurens to Philip Schuyler

Sir

10th November [1778]

On the 7th Instant I had the honor of delivering your Letter of the 30th Ultio. together with the Papers inclosed, to Congress, whence the whole were committed to the Board of War—and the House resolved to take under consideration the proceedings of the General Court Martial on your trial on Wednesday the 11th Instant.¹

I have the honor to be &c.

LB (DNA: *PCC*, item 13).

¹ See *JCC*, 12:1109, 1186; and Laurens to Schuyler, December 4, 1778. Schuyler's October 30 letter to Laurens is in *PCC*, item 153, 3:364.

Henry Laurens to Jonathan Trumbull, Sr.

Dear Sir,

Philadelphia 10th Novr 1778.

I intreat you will not blame me for the long delinquency on my part in our correspondence. Permit me to assure you Sir my silence originated in a sympathy arising from my particular love & regard for you; Your kindness & your knowledge of business will supply an apology for the rest.

I have now my Eye on your favor of the 5th October.¹ I have learned enough of the services of our late friend in his Office of Commissary to know that the Public are much indebted to him & you may rely on me Sir, for doing every thing in my power to obtain suitable acknowledgements for the benefit of his family. You have no doubt been informed by Mr. Elseworth that a Report had been lately made on your Representation to Congress, that exceptions were urged to certain parts & that therefore the whole was recommitted. The best influence on that

occasion was to assure my friends who were unacquainted with the merits of the late Mr. Joseph Trumbull that he had been one of the best Servants of Congress, that I was persuaded, had he been continued in the Office of Commissary upon his own terms, the Public would have saved five Millions of Dollars or more & many hundreds of Soldiers, to prove this to the satisfaction of every reasonable person, will not be difficult to me. It requires only a retrospect to the circumstances of our Army at Valley forge during the last winter & to the amazing advance of every species of provision immediately after the Stores which he had amassed were consumed.

I cannot on this occasion bound myself by five Millions, the want of forethought & Industry in his Successor occasioned an advance of the price of provision & every other article kept pace with that. The Contrast of these Officers demonstrates the merit of the former, hence Sir, your requisitions & expectations on behalf of the surviving family do not appear to me ill grounded, nor do I believe there would be any great opposition, provided the Accounts were adjusted, or adjusted so far as circumstances will admit of, I shall make an opportunity to day for conversing with Elsworth on this subject & do myself the honor of writing to you again very soon.

I perceive Sir, we were in equal danger on the 28th Augt. & that we have each of us particular cause for thankfulness for the escape of our Children from dangers to which their Love of Country had exposed them,² My own, inform me what were your feelings while the event of that day remained unknown to us, & I am persuaded we have both learned, in all cases, under the severest pangs arising from apprehensions, such as I confess I felt on that occasion & in deep distress from real misfortunes to say "thy Will be done."

11th. I have conversed with Mr. Elsworth who informs me the Committee have reconsidered their late report & are prepared to deliver another Report to the House, I hope this will be done to morrow & that the issue will afford you satisfaction.

Congress seem to be now in earnest to proceed upon measures for realizing & appreciating our Paper Money. We may make of this a fine spun theorem, but unless we strike at the Root, the cause of our immense emissions, the peculation of great public Officers, the practice of monopolizers &c &c, we may drudge on, the Evil will remain & our Country will be reduced systematically to destruction. In a word, Sir, that Patriotism which we affected to say had led us into the present contest, is out of fashion & unless we speedily revive it, we shall experience a violent convulsion which will go near to ruin us, & which will at least bring us into universal disgrace, I lament the prospect. Believe me to be Dear sir, with the highest respect & Esteem, Your obliged & obedient humble servant.

Henry Laurens.

P. S. I beg my Compliments to Mr. Jonathan Trumbull Junr. The Treasury I am told have informed him of his appointment to the Comptrollership, unanimously elected—Salary 4000 Dollars per Annum.³

RC (CtHi: Trumbull Papers).

¹ Trumbull's October 5 letter to Laurens, as well as one of the sixth on the subject of Joseph Trumbull's accounts, the principal topic of Laurens' present letter, is in Trumbull, *Papers* (MHS Colls.), 2:273-74, 279-82. The original of the latter is in PCC, item 66, 1:414-17.

² A reference to General Sullivan's abortive expedition against Newport, in which both John Laurens and John Trumbull had played a part.

³ *JCC*, 12:1096.

Committee of Congress to the States

In Committee of Congress

Sir

Philadelphia 11th November 1778

The great & increasing Difficulties in the Quarter Masters & Commissary Generals Departments have induced Congress to adopt the Resolution of which we have the Honor to enclose you a Copy.¹ Among the measures immediately necessary for placing these matters on a proper Foundation is the acquiring of a knowledge of the proper Resources of these States. The Articles of consumption which we would most particularly be informed of are Flour, Wheat, Rye, Barley, Oats, Corn & Rice, Beef, Pork, Working Oxen & Horses, Cyder & Vinegar. The ignorance & the interests of Mankind, oppose so strongly our wishes in this respect, that after every Effort & every prudent precaution, our Information will perhaps be of far less importance than could be wished. It is however our Duty to aim at it and we have no reason to doubt your Excellency's Concurrence in the Steps necessary to attain what we have in view, especially when it is considered how readily your own good Sense will dictate the impracticability of continuing the war, at least of continuing it to advantage, while we remain Supremely ignorant of the supplies our Country is capable of affording. We have to entreat that your Excellency from your knowledge of the Productions of the several parts of your State, would appoint some proper persons in whose Industry & Secresy you can confide to make proper Lists through the Districts you shall severally allott to them of the Quantity & number of such of the Articles above named as are produced in it which may probably be over & above the necessary consumption of the Inhabitants, and also as nearly as possible the Quantity &c which they consume over and above their own production or of what they do not produce. We hope that these lists may be transmitted to us with all imaginable speed

to the end that proper arrangements may immediately be made for the ensuing Campaign. Upon transmitting an Account of the Expenses which may accrue in this Business, they shall immediately be paid. You will perceive Sir that every precaution should be taken to prevent this Object from transpiring, least as on many former Occasions the Devoted Adherents of Lucre should make a gain of the Publick Distresses.

We are respectfully Your Excellency's Most Obedient & Humble Servts.

Nathl. Scudder

Gouv. Morris

Wm. Whipple

RC (MdAA: Red Books). In a clerical hand, and signed by Morris, Scudder, and Whipple. This text is taken from the circular letter the committee addressed to Maryland governor Thomas Johnson.

¹ See *JCC*, 12:1114–15. This committee was appointed on November 10 in response to a November 6 letter from Quartermaster General Nathanael Greene (which has not been found). Declaring that “speedy and vigorous measures” were necessary “to regulate the commissary’s and quarter master’s departments,” Congress thereupon appointed Gouverneur Morris, Nathaniel Scudder, and William Whipple to “be a committee to superintend” the two departments and directed “that they, or any two of them, be empowered to take such steps relating to the same as they shall think most [advantageous] for the public service.”

Although it was not considered one of the standing committees of Congress, this committee continued to function as overseer of the commissary and quartermaster departments until November 25, 1779, when these duties were transferred to the Board of War. *JCC*, 15:1312. Because Morris, Scudder, and Whipple had also been appointed on November 5 to a committee with similar responsibilities (in response to a letter from Washington and an earlier one from Greene), it seems probable that they did not attempt to distinguish under which appointment they acted when subsequently performing their various duties. For the work of the committee to which they were first appointed, see Committee of Congress to Thomas Johnson, November 5, 1778.

Committee of Congress to the States

In Committee of Congress
Philadelphia 11th November 1778

Sir Circular

The dangerous Practices of Engrossers have increased so rapidly with the Publick distresses, and have so accumulated them, that every Friend to this Country or even to Humanity, cannot but wish to see some Remedy to an Evil, which threatens the Existence not only of the several States but of the poorer part of the Individuals which compose them. We are fully sensible that this disease should be touched with a cautious & with a Delicate hand, but at the same time, we confide in the wisdom of your Legislature for this Delicacy & Caution. We do not pretend to mark out the means which they should

adopt but the Confidence reposed in us by Congress, demands that we should at least Hint, what in our Idea may conduce to this valuable purpose. The Articles necessary for the Consumption of the Army, are easily designated, And we trust there will not be much difficulty in distinguishing between the Dealer in or Manufacturer of those Articles & the Engrosser or as he would call himself the Speculator. These two Objects being accomplished, it surely cannot be deemed inconsistent either with Policy or Justice, that he should be Obligated to part with them to the Public. The Process necessary for this purpose, must depend on the civil Institutions which may have been respectively adopted, but it should be as short and as simple as is consistent with the constitution of the State. One thing more is necessary to complete the System, namely the price. If this is such as to leave the Speculator his Profit, nothing more is operated by the Law, than merely to sanctify his unrighteous Gains. If the price be fixed by Law, the Efforts now making to render our Money valuable (and which we doubt not your Legislature will assist by heavy Taxes) will only tend to realise what he hath already accumulated. Perhaps the power Lodged somewhere, to fix the market price monthly by the name of assize, and a deduction from it of about twenty per Cent on Commodities in the Hands of Engrossers, would be most effectual. This However & every thing Else we have mentioned, is submitted to your wiser Consideration.

We have the Honor to be, Your Excellency's most Obt & Humble servants

Nathl. Scudder

Gouvr Morris

Wm. Whipple

RC (Nh-Ar: Weare Papers). In a clerical hand, and signed by Morris, Scudder, and Whipple. This text is taken from the circular letter the committee addressed to New Hampshire President Meshech Weare.

Committee of Congress to the States

Sir Circular In Committee of Congress
Philadelphia 11th November 1778

Permit us to call your attention for a moment, to the Detection & punishment of a Crime against the Public. Persons in Office under the Continent have, as we are informed, used the monies entrusted to them, in the engrossing of articles upon the public.¹ This seething of the Kid in its mothers milk, calls for the most exemplary punishment. We pray, that you will urge the Legislature of your State, to pass Laws for the prosecution & punishment of Offenders of this kind in future, and that in the Interim, your Excellency will cause,

any who may in your State be guilty of the like Crimes, to be secured for trial, in safe & Close custody.

We are respectfully, Your Excellency's most Obt. & Humble servants,

Nathl. Scudder

Gouv Morris

Wm. Whipple

RC (OMC: Slack Collection). In a clerical hand, and signed by Morris, Scudder, and Whipple. This text is taken from the circular letter the committee addressed to Delaware Governor Caesar Rodney.

¹ For evidence that this letter was written in response to testimony provided by Delaware Chief Justice William Killen, see Henry Laurens to Caesar Rodney, November 1, 1778, note 5.

Committee of Congress to Certain States

In Committee of Congress

Philadelphia 11th November 1778

Sir.

Among the many Objects which occupy Your mind, permit us to call your Attention for a moment to one of the first magnitude. In the States of New Jersey, Pennsylvania, Maryland and Virginia,¹ the Distillery of Spirits from Grain hath become a very considerable & growing Manufacture. Amid the prejudices which it is natural to suppose the Parties concerned have raised, and the Arguments which may be adduced in it's favor, let us be permitted to mention some objections. The Effect of it in a moral point of view is certainly deserving of the first attention. Drunkenness, at all times a Crime and in this Case almost Self Murder is not discouraged by bringing the means of it home to every Mans own Door. And certainly there is the Best Authority to say that no Laws can diminish the Vice when the temptation is increased; to lead the People therefore into it or wink at their being led, is to say the least not very meritorious. An additional Weight is given to every Argument of this Kind, when it is considered that Malt Spirits of all others most effectually enervate both the mind & Body, rendering the unhappy Patient not only a stupid & useless but also wicked & for the most part a Dangerous Member of Society. But as no Political considerations should or indeed can influence a good Government to become inattentive to the Health & the Morals of it's Citizens, so we cannot doubt but that your Legislature will be most feelingly alive, when not only the Health & the Morals, but the Liberty, nay the Existence of the Society depend, upon the total prohibition of a practice at all times Dangerous, but at present fatal.

The scarcity which already begins to be felt may, for ought we know, become in the course of Providence a Devouring famine. Pes-

tilence, Famine & War but too naturally succeed each other, & tho' we have reasons to trust in the mercy of heaven, to ward of these Evils, Yet it is our Duty to take every precaution against them, which Providence can suggest. The foremost among these is certainly to prohibit the converting of that Bread, which was meant for the sustenance of Man into a Liquid poison for his Destruction. We do therefore most earnestly entreat Your Excellency to recommend it in the strongest manner to your Legislature, immediately to enact Laws for this Purpose. Perhaps the siezing of (for the use of the Army) all which shall be distilled after a certain Day, at a low price to be paid to Commissioners, and expended in the maintenance of the poor, and particularly for the Comfort of sick & wounded Soldiers would be as effectual as any other, at the same time it would be paying a proper attention to those Brave Unfortunate Men, who have every Claim upon us, which Patriotism, Religion & Humanity, can possibly Confer. We have the Honor to be, Your Excellencys, Most Obedient & Humble Servants,

Nathl. Scudder

Gouv Morris

Wm. Whipple

RC (MdAA: Red Books). In a clerical hand, and signed by Morris, Scudder, and Whipple.

¹ Although the committee undoubtedly sent copies of this letter to the four states mentioned here, only this letter addressed to Maryland governor Thomas Johnson has been found.

Samuel Holten's Diary

[November 11-12, 1778]

11. Wednesday. A very Stormy day. Congress spent part of the day on finances. Mr. Governur Morris & Mr. Sherman dined with us. No news material this day.

12. Thursday. Congress spent part of the day on finances. I dined with Dr. Potts & Mr. Gerry, Mr. Lovell & Genl. Whipple.

MS (MDaAr).

James Lovell to Horatio Gates

Dear General.

Novr. 11th. 1778

Before I received your confidential Favor of I had thrown out to you some sentiments resembling your own as to the effect on little minds which would probably be consequential of your change of Post.¹ I was sick at home when thoughtful Yankies made the motion,

founded in Regard to the real interest of the people at the eastward, and therefore honorable only by evident implication to you.

As to your moving without any continental Troops, I think good Reasons have been offered by Gl. W—. The Disposition which he had made prior to our sending the Direction for your going forward was as judicious as appearances & his acquired intelligence could prompt. But giving you a Ride was as little as we possibly could do in Compliment to those states who had always exerted themselves when their neighbours were threatened no more than they now actually were. Your Reputation was judged sufficient to dispel any possible fear in our own citizens and even to divert a plan of our enemies.

I think it must by this Time be beyond a doubt that every british Corps will leave the continent; the Germans cannot be forced to operate in the west indies; therefore they must remain at New York, if any do. A small embarkation is now making of them I suppose for Halifax to go early in the Spring to Canada.

I cannot at any rate, by an uncertain conveyance, say a word to you respecting joint operations next campaign, which will in some measure govern the Cantonments of this winter. Indeed I am under the Rules of the House as to Secresy. Perhaps the Marquis F. in Conversation will have given you some Insights.

Our Ratification is said, in a Martinico Gazette of Octr 1st, to have been arrived in Paris Augst. 4th and on its Way to Versailles.

Bingham, intimate with Marqs. de Bouillie, gives his opinion that Spain conducts wholly in concert with France; and he suggests very good Reasons for the Face she now puts on.²

I again recommend Mrs. L— to you and with affectionate Compliments to your amiable Family am your Friend sincerely and Your humb. Servt.³

J L

RC (NHi: Gates Papers).

¹ For General Gates' reassignment, see Henry Laurens to Gates, October 23, 1778.

² Letters from William Bingham of September 16 and 26, 1778, were laid before Congress the following day by the Committee for Foreign Affairs, but neither is in PCC. JCC, 12:1123.

³ Three days later Lovell wrote a letter to Abigail Adams explaining the disposition of the personal effects John Adams had left behind at Philadelphia and at York when he had been attending Congress in Pennsylvania the previous year. Adams, *Family Correspondence* (Butterfield), 3:121–22.

Gouverneur Morris to George Washington

D'r General.

Philadelphia 11th Novr. 1778

As Congress have delegated to a Committee, of which I have the Honor to be a Member, the superintendence of the Commissary & Quarter Masters Departments;¹ this, together with our Finances

which we have long been cobling at, hath obliged me to consider in a more compleat View the State of our Affairs than my former detached Attention would permit, or indeed than my natural Indolence would have led to unsolicited by Necessity. While I write to you you must read and interpret with the Eye and the Mind of Friendship, and suppose a greater modesty of Disposition than the Language may indicate. For tho I by no means believe myself equal to the smallest of the Objects thrown upon me Yet in Speaking of them I must give a loose to my Imagination and my Pen nor can I find either Leisure or Inclination to attend to Style.

First then it is a Position clear that we must act according to our Powers and not our Inclinations. It is I am afraid as clear that your Army will want Subsistence if kept together. Neither the Quarter Master nor Commissary Departments can in the mercantile Phrase do the needful while you are where you are. I take it the Number of the Enemy and the Season are against active Operations on their Part. Their Situation the Season our natural and political Circumstances are equally against them on our Part. To ravage the Country and to cover it from being ravaged are then the two Objects. The first is base and beyond a certain Degree impracticable. The second is to a certain Degree dangerous and ideal. If it is reduced to a Question for Instance whether the Counties of Bergen and Westchester shall be protected by our Arms or the Losses paid for I am ready to purchase the whole of both in Fee and lay them Waste by Way of saving Money. The like I take it will hold good with Respect to the Environs of Rhode Island. I cannot therefore help being of Opinion that few very few Troops should remain in the Eastern Department. But that many of them if many there be and a Part of your Army should be cantoned along thro the Towns about the Middle of Connecticut River. The Post in the Highlands cannot indeed be neglected and perhaps for the better Support of it another Post may be necessary about Fredericksburgh. To supply them with Provisions &c. will be very difficult and whenever the Frosts shall become severe these Posts will require much fewer Men and therefore it may be good Policy to place those whose Times are near expiring on that Ground. The Sick &c &c can perhaps be better and safer kept at Albany than elsewhere and then a Part of your Force will be there to cover them, mount the necessary Guards &c. At Aquaquenonck, New Ark and Elizabeth Town advance Parties may be posted to cover the interior Country and Communication. A considerable Body at Morristown will be necessary to secure the Magazines which may there be drawn to a Point from all the Communications and there most properly because perfectly secure and because naturally a good Forage Country. A small Body of Men will be necessary for the Sake of Order &c at Sussex Court House, Easton, Coryells, Brunswick, Princeton &c.

LB (DNA: PCC, item 13).

¹ See *JCC*, 12:909, 946; and Robert Morris to John Bradford, September 14, 1778, note 2.

Henry Laurens to John Sullivan

Dear sir,

Philadelphia 12th November 1778.

I have not had occasion to trouble you with a Letter since the 2d Ulto. In the mean time your several favors of the 25th Sept., 18th, 26th, & 31st October have reached me & have in due course been presented to Congress, but at present I have no Commands from the House respecting their several contents.¹

A Report from the Board of War on the article of forage lies for consideration. I shall endeavor to bring it forward this Morning & you shall as early as possible be informed of the event.²

Major Talbot's capture of the Pigot armed Vessel afforded much satisfaction to Congress, his whole conduct in that affair is admired & applauded & I am persuaded that an occasion will be embraced for signifying the same to himself in terms of suitable honor.³

I have the honor to be, With very great Respect & Esteem, sir,
Your most obedient & Most humble Servant,

Henry Laurens, President of Congress.⁴

RC (IMunS).

¹ *JCC*, 12:980, 1062, 1109, 1112. Sullivan's four letters are in PCC, item 160, fols. 193–202, 207–9, and Sullivan, *Papers* (Hammond), 2:362, 408–9, 417.

² This Board of War report, "relative to the high price of forage," the subject of Sullivan's October 26 letter, was not read in Congress and acted upon until November 30. *JCC*, 12:1112, 1177.

³ See Laurens' letters to William Alexander, November 10, note 2, and to Silas Talbot, November 17, 1778, note.

⁴ Immediately following the copy of this letter in Laurens' presidential letterbook are two notes indicating that his secretary Moses Young delivered three recent resolutions of Congress to quartermaster general Nathanael Greene and to commissary general of purchases Jeremiah Wadsworth. Greene's department received a November 7 resolution directing payment "for Horses purchased by Order of Col. Hartley on the late Expedition against the Indians," and one of November 10 directing shipment of ten tons of bar iron to Charleston, S.C. Wadsworth's department received a resolution of the 7th "directing the Commissary General of Purchases to comply with such requisitions as shall be made to him from time to time by the Commissary General of Prisoners with such articles of provision as shall be necessary for furnishing the British Prisoners with such quotas of Rations as are furnished our Prisoners in the hands of the Enemy by the British Commissaries." PCC, item 13, 2:160. For these resolves, see *JCC*, 12:1109, 1111, 1121.

Samuel Adams to Samuel P. Savage

My Good Old Friend

Philad Novr 13th 1778

I am at present in great Haste; but as a Supplement to my last I will ask you, *Who* among the Sons of America ought to enforce the Example of the illustrious young Foreigner?¹ *Who* is substituting other Means of Dissipation in my native Town in Lieu of Theatrical Entertainments &c &c? *Who* has mixed the Grave and the Vain, the Whigs and the Tories in Scenes of Amusement totally incompatible with the present serious Times? Who among the Grave and Who among the Whigs, I mean such Whigs as have a feeling for their distressed Country and the Multitudes of distressed Individuals in it, are present at such Entertainments? Is there a Man among them to whom our Country has entrusted her Independence, her Virtue, her Liberty? What can be the Views and Designs of such a Man, but to establish a Popularity by forming a Coalition of Parties and confounding the Distinction between Whigs and Tories, Virtue & Vice? When I was last in Boston, I seized an Opportunity to advise my Fellow Citizens to beware of their popular Men—to penetrate their Views and Designs. There was comparatively no great Danger from a great Man set over them by the British Tyrant. When the People set up a Great Man of their own, their Jealousy is asleep, & they are in Danger of a *Master*. I have no personal Prejudices or Attachments. Many things I have to say to you if I had Leisure.

My due Regards to your Lady, to Mr S and his Family. Adieu.

P.S. I am not inattentive to what you said in my last relating to my Friend Mrs M——. I will endeavor to serve her in the Instance she mentions, but she must not depend upon Success.

FC (NN: Adams Papers). In the hand of Samuel Adams.

¹ For this reference to Lafayette, see Adams to Savage, October 17, 1778, note 3.

Samuel Holten's Diary

[November 13–14, 1778]

13. Friday. I wrote out in the morning with Mr. Adams & Mr. Elsworth. Met a Comtee. at 5 o'Clock on a number of Merchants petitions—a rainy evening.

14. Saturday. Congress spent part of the day upon finances. The weathers is cold.

MS (MDaAr).

Henry Laurens to Richard Caswell

Sir,

Philadelphia 14th November 1778

I had the honor of writing to Your Excellency the 18th Ultio. recommended to the particular care of Governor Henry of Virginia,¹ since which I have received none of your favors. This will be accompanied by an Act of Congress of the 10th Inst. recommending to the Governments of North Carolina, South Carolina & Georgia to afford every necessary assistance to Major General Lincoln for enabling him to subdue the Province of East Florida.²

Congress have Resolved that each Major General who shall go on the intended expedition, shall, in case of the reduction of that Province be intitled to a grant of three Thousand Acres of Land; each Brigadier to a grant of two Thousand &c.

I shall inclose in the Packet with this the two last News Papers which will inform Your Excellency of our Current intelligence. The Enemy's Garrison at New York continue to give tokens of a complete evacuation intended, but are slow in their motions, sullen & full of wrath.

I have the honor to be, With very great Respect & Esteem, Sir,
Your Excellency's Obedient & humble servant,

Henry Laurens, President of Congress.

RC (NcU: Caswell Papers).

¹ See Laurens to Patrick Henry, October 18, 1778, note 4.

² *JCC*, 12:1116–21. Despite the significance of the subject, only a few tantalizing references in the delegates' correspondence testify to their interest in the Floridas at this time, and Congress' formal decisions regarding proposed expeditions against both East and West Florida are difficult to trace in the official record. The congressional resolutions of November 2 authorizing the southern commander to proceed against East Florida and of November 10 elaborating the details of that decision doubtless had their immediate origin in Gen. Robert Howe's September 22 letter, which was read in Congress on November 2, and in recent reports that a British attack on the southern states was in preparation. Yet a plan for the capture of St. Augustine, which had been outlined in a memorial submitted by the marquis de Brétigny, had been under consideration since August, and Henry Laurens had apparently been interested in some such plan since May. See *JCC*, 12:1091; these *Letters*, 9:790; and Laurens to John Houstoun, August 27, 1778, note 2.

On the other hand, recommendations that an expedition be launched against West Florida, which were shelved in 1777 but revived in August 1778, engendered little support and had been formally rejected on October 31, only three days before the East Florida attack was endorsed. Although Secretary Thomson did not record this decision in the regular journals, it can be found in the "Secret Domestic Journal" in PCC. Citing "the variety of Operations in which we are at this time engaged," Congress resolved that Gov. Bernardo de Galvez at New Orleans, who had provided the impetus for reviving the proposal, be informed that "it is impracticable for these states now to undertake an enterprize of the magnitude recommended." See illustration (Secretary Thomson's Secret Domestic Journal); *JCC*, 11:709, 769, 12:1083–84; PCC, item 1, 19:61, item 3, fol. 81, item 6, 1:110–11, 2:1–2; and these *Letters*, 7:371–75, 466–68.

in the Secretary's office said that the value of three hundred dollars he preferred to \$100,000 that in consideration of his expenses he has incurred in his endeavours to serve the United States.

resolved that Congress agree to the third report.

October 31. 1778

The board of war having taken into consideration
the papers referred to them by congress, namely the letters
and extracts of letters from his governor of New Orleans.
H^c. Bluck and capt James Welling brought in a
report, wherein it was

Despaired that from the variety of Operations in which we are at this time engaged it is impracticable for this ^{State} Govt to undertake an enterprise of the magnitude recommended by Geo. Calvez.

That governor Bernardo de Galvez be informed
of the above resolution and be assured that from
the favourable aspect of our affairs it is probable
Congress will speedily be enabled to turn their
attention to and operate effectually in that quarter

That Governor Galvez be requested to accept the thanks of Congress for his spirited & disinterested conduct towards this state, and be assured that Congress will take every opportunity of expressing his favourable and laudatory sentiments. They are certain of Governor Galvez and all the faithful subjects of our Catholic Majesty inhabiting the Country under his government.

Little is known about the effort that was made at this time to marshal support for a West Florida expedition, but the substance of Galvez's recommendations can be found in a document located in the Laurens Papers, no. 25, ScHi, which bears the heading "E. Murray's Plan for an Attack Upon West Florida" and the date-line "Philadelphia October 3d. 1778." That Murray's plan, which is addressed to the Board of War and opens with a copy of Brétigny's "Memorial and particulars relative to fort St. Augustine with a Plan of Attack," was one of the documents presented for congressional consideration can be deduced from an endorsement by Richard Peters on the October 10 Board of War report containing the resolution adopted by Congress on October 31. "Mr. Murray's Report is subjoined for the Information of Congress," Peters explained. "He appears to be very intelligent & well acquainted with the Country." PCC, item 147, 2:323-24.

Henry Laurens to Patrick Henry

Sir

14th November [1778]

The last Letter which I had the honor of addressing to Your Excellency was under the 24th Ulto.¹ since which, and for a long time before I have received none of your favors, and therefore Congress remain uninformed of the reception of many of their Acts transmitted to the State of Virginia.

Inclos'd with this Your Excellency will receive an Act of Congress of the 10th Instant for obtaining such of the Armed Gallies belonging to the State of Virginia as are fit for service on an Expedition intended against the Province of East Florida to which I beg leave to refer,² and being persuaded the Government of that State will perceive in a moment the utility of this Measure, and the necessity for the utmost dispatch, there remains nothing for me to add to the recommendations of Congress.

Your Excellency will also receive an Act of Congress of the 11th Instant requesting the Government of Virginia to suffer the immediate departure of the Vessels and Cargoes therein mentioned—the Minister Plenipotentiary of France having given to Congress the most explicit and candid assurances that both are for the immediate use and service of His Most Christian Majesty's Fleet and Troops, and wholly unconnected with private trade.³ I have the honor to be &c.

LB (DNA: PCC, item 13).

¹ See Laurens to Benjamin Harrison, Jr., October 24, 1778, note 3.

² JCC, 12:1118-19. Laurens also sent this "Act of Congress" enclosed in a letter of this date to Maryland governor Thomas Johnson. For the responses of Maryland and Virginia to Congress' request for galleys for the expedition against East Florida, see *Md. Archives*, 21:262-63; and Henry, *Patrick Henry*, 3:203-5. In his letter to Governor Johnson, Laurens also acknowledged receipt of Johnson's October 27 letter to Congress, for which see JCC, 12:1090; and PCC, item 70, fol. 281.

³ For Congress' response to Ambassador Gérard's memorial requesting clearances for two French ships loading provisions at Petersburg, Va., see JCC, 12:1122. In addition to soliciting Governor Henry's assistance in securing such clearances,

Congress also indicated its alarm over the possible consequences of such French purchasing activities by ordering a committee to "confer with the hon. Sieur Gerard on the danger that may result from an interference with the commissary general or his deputies, in the purchase of provisions in the present situation of affairs." Ibid.

It may also have been this concern that led the Marine Committee the next day to write the following brief letter to the deputy commissary of purchases in Virginia William Aylett: "We request you will immediately inform us what quantity of flour you have purchased for the use of the French Fleet and where you have stored the same." Paullin, *Marine Committee Letters*, 2:26. See also John Jay to Rawlins Lowndes, December 18, 1778; and *JCC*, 13:103, 138, 326-29.

Henry Laurens to George Washington

Sir

14th November [1778]

Since my last of the 6th Instant I have had the honor of receiving and presenting to Congress Your Excellency's favor of that date.¹

Under Cover with this, Your Excellency will receive an Act of Congress of the 12th Instant containing a state of Doctor Conolly's case, and a Resolve of Congress thereupon which you will be pleased Sir, to send in to the Commanding Officer of the Enemy's troops in New York.² I have the honor to be &c.³

LB (DNA: PCC, item 13).

¹ *JCC*, 12:1115. Washington's November 6 letter to Laurens is in Washington, *Writings* (Fitzpatrick), 13:209-10, and PCC, item 152, 6:443-46.

² For Connolly's case see Committee of Congress to John Connolly, November 5? 1778.

³ This day Laurens also wrote a brief letter to Nathanael Greene acknowledging the quartermaster general's letter of November 6 and explaining that "the House were pleased to Commit it to Mr. Scudder, Mr. G. Morris and Genl. Whipple with power to Act as they shall judge most for the public Interest respecting the subject contained in that Letter." PCC, item 13, 2:164. For the response to Greene of the committee overseeing the commissary and quartermaster departments, see Committee of Congress to the States, first letter, November 11, 1778, note.

Marine Committee to Ephraim Blaine

Sir

Philada. Nove 14. 1778.

The Minister Plenipotentiary of France this day acquaints the Marine Committee, that yesterday *after Dinner*, no one had appeared on board the Frigate Chimere to regulate the Loading of the Charlotte and Bonnite; & earnestly intreats a Completion of the Loadings without any Loss of Time. The Committee not knowing that you was detain'd [here?], have been expecting to hear from [you] that every thing had been done agreeably to their Request on the Evening of the 9th Instant.¹ It is now the seventh Day since the Committee acquainted the Minister after conferring with you that one thousand

Barrils of Bread and two or three thousand Barrils of Flour could be provided for those Vessels in ten days. It is therefore hoped that the Business will be compleated without any Delay.

You will please as soon as possible after your Arrival at the Place where the Vessels are, to let the Committee know by a Letter, the Quantity you may deliver for them. The Minister expects fifteen or Sixteen hundred Barrils of Flour over and above what you may furnish for those Vessels which you will also please to procure, & let us know to whose Care they may be committed, that the Minister may have due Notice of it.

The Committee are further informd, that the salted Pork which has been deliverd for the Frigate has been found to be spoild; and that a Part of the Flour which has been sent on board the Charlotte & the Bonnite has provd equally bad. You are therefore earnestly requested to take particular Care that what shall now be provided, be such as is fit for the Use of the French Squadron.

I am in the Name and Behalf of that committee, Sir your humble
Servant, S. Adams, Chairman

RC (PHi: Chaloner & White Papers). Written and signed by Samuel Adams. Addressed: "Colo Ephraim Blaine, Deputy Comy. General, Pennsylvania."

¹ No other letter from the Marine Committee to Blaine has been found, but for the context of the matter at issue here, see Marine Committee to the Pennsylvania Council, November 7, 1778.

South Carolina Delegates to Rawlins Lowndes

Sir

14th November [1778]

Inclosed Your Excellency will find a Resolve of Congress of the 10th Instant relative to an Expedition against East Florida.¹ In this Resolve there is a Clause which not being so clearly worded as we wished, makes it necessary for us to inform your Excellency of what was the sense of Congress upon it. The Clause is as follows, "That if Major General Lincoln shall be of opinion that the Continental Battalions of the States of South Carolina and Georgia &c." We conceived that this expression of the *Continental Battalions* tended to destroy by implication the Controul of the President of South Carolina over two thirds of the effectives of the Battalions of that State as vested by the Resolution of Congress of the 18th of June 1776² and an amendment was moved to clear up the ambiguity. But it being universally declared in Congress that the Resolution as it stood did not impair that controul and that no part of the Resolution of the 18th June 1776 could be effected by implication, or could be annulled but by expressions referring to that Resolution and annulling the whole or part of it, the amendment was withdrawn as

unnecessary: and we hereby inform your Excellency of the sense of Congress upon the subject.

We are Sir with the highest Respect and Esteem, Your Excellency's Most Obedt. & Most Humble servts,

Henry Laurens

Jno. Mathews

W. H. Drayton

Richd. Hutson

Tr (ScHi: Laurens Papers, no. 16). It seems probable that this letter was the work of Henry Laurens since this text is located in one of Laurens' letterbooks.

¹ See Henry Laurens to Richard Caswell, this date, note 2.

² See *JCC*, 5:461-63.

Henry Laurens to William Alexander

My Lord

15th November [1778]

I had the honor of addressing Your Lordship the 10th Instant by Dugan and last night of receiving your favor of the 11th with two New York Garrison Papers—such parts of Your Lordships intelligence as I know will be acceptable to Congress shall be communicated to the House tomorrow, accompanied by a necessary hint respecting publication.¹

The false representations contained in the Newspapers of the several attempts made on the part of the Commissioners for treating with Congress, their Account of the designs and desires of that body, equally false, discover in those Commissioners and their coadjutors, a despair of Conquest, their business is therefore to blind the understanding of the Nation whom they have reduced to the verge of ruin and overwhelmed with disgrace. The subterfuge will not long screen them, the Nation will be better informed, and misfortunes will give and edge to their resentments.

If Sir Henry Clinton did actually proceed with the second Embarkation of Troops,² I can think of no place upon the Continent so inviting to his Enterprize as Charlestown, South Carolina, he may with six thousand troops do much mischief in that Country, acquire much plunder, of Negroes and proper provisions for the West Indies, but he will meet hard blows, and from the Season of the year, hazard a total disappointment.

I shall inclose in the present Packet seven of Dunlap's Papers, four of the 12th and three of the 14th Instant. I wish somebody in New York may be so wise as to send Common Sense to a friend in London.³ There is scarcely an American Commodity so much wanted as this, in that great Metropolis, and Your Lordship shall hereafter be regularly supplied with the Advertisers. I Am Sir, With the highest Esteem and Respect, Your Lordships &c.

LB (DNA: PCC, item 13).

¹ Secretary Thomson's journal entry for November 16 stating that "A letter of 11 and one of 13 from Major General Lord Stirling, were read," has been lined out, and neither letter is in PCC. They are, however, in the William Gilmore Simms Collection of Laurens' papers deposited at MHi and were printed in the *Historical Magazine*, 1st ser. 2:322.

² In his November 11 letter, Alexander had reported that he was certain that Sir Henry Clinton had recently left New York. Although he knew nothing of Clinton's destination, Alexander explained, "I now believe he is on board the fleet which sailed from Sandyhook on the 3d Instant." Ibid.

³ Thomas Paine's "Crisis No. VII," signed "Common Sense, Philadelphia, November 11, 1778," was printed in the November 12 issue of Dunlap's *Pennsylvania Packet*.

Henry Laurens to George Washington

Sir

15th November [1778]

I had the honor of writing to Your Excellency Yesterday by Messenger Freeman.

Your Excellency will receive inclosed herewith Copy of a Letter dated Sunbury 9th Instant from Colonel Hartley to the Board of War, which Congress have directed to transmit & to signify that it is the desire of the House Your Excellency "will take such Measures relative to the subject matter thereof as you shall judge necessary."¹

I have the honor to be &c.²

LB (DNA: PCC, item 13).

¹ *JCC*, 12:1132. Col. Thomas Hartley's November 9 letter to the Board of War, reporting that "A large Body of Indians have surrounded Wyoming [and] have destroy'd the Settlement at Nanticoke," is in PCC, item 78, 11:363-66.

² This day Laurens also wrote the following brief letter to commissary general of issues Charles Stewart: "You will receive within an Act of Congress of the 7th Instant for the temporary supply of Rations therein described to British Prisoners of War, to which I beg leave to refer." See PCC, item 13, 2:165; and *JCC*, 12:1111-12.

Cornelius Harnett to Richard Caswell

Dear Sir

Philadelphia 16. Novr. 1778

The bearers of this are Mr. Walton & Mr. Telfare Two of the Georgia Delegates,¹ Gentlemen of Integrity & honor, and as Such I beg leave to introduce them to Your Excellency. To those Gentlemen I refer you for News. I shall by next Post write you a longer Letter & Am with the greatest respect, Your Excellencys Most Obt. & very hul Servt.

Cornl. Harnett

RC (NjMoHP). This letter is incorrectly dated November 10, 1778, in *N.C. State Records*, 13:270.

¹ Although the journals record that Edward Telfair was granted leave on November 13, there is no similar mention of John Walton. Neither is listed in the roll call vote taken this day; both were present on November 3, the last preceding day such votes were called for. See *JCC*, 12:1096, 1098, 1129, 1135.

Samuel Holten's Diary

[November 16–17, 1778]

16. Monday. Congress Resolved them Selves into a Come. of the whole house to consider the state of our money & finances.

17. Tuesday. I wrote to Mrs. Holten (No. 29) Doctr. Gordon & my daughter Sally.¹ Congress spent part of this day in a come. of the whole on finances.

MS (MDaAr).

¹ These letters have not been found.

Henry Laurens to Patrick Henry

Sir

16th November [1778]

By Messenger Hunter I had the honor of writing to Your Excellency under the 14th Instant.

Under the present Cover will be found two Copies of the under-mentioned Acts of Congress viz.

An Act of the 26th August 1776 for establishing a Provision for Soldiers and Seamen Maimed or disabled in the service of the United States—to which is subjoined a supplementary Act of the 25th September 1778 for the benefit of maimed and disabled Volunteers in the service of the States antecedent to the date of the first above-mentioned Act.

An Act of the 26th September for organizing the Public Treasury, and for providing an House for the several Offices of Treasury.

17th. Your Excellency will also receive an Act of Congress of this date for holding throughout these United States a general Thanksgiving on Wednesday the 30th December next—And three Copies of the Treaties of Amity and Commerce, and of Alliance eventual and defensive between his Most Christian Majesty & these United States. I had the honor this Morning of presenting Your Excellency's favor of the 9th Instant to Congress. The House intreat Your Excellency will not delay the intended relief of Troops for South Carolina and Georgia,¹ there is still great reason to believe an Embarkation has

been made at New York intended at least for subduing the latter, and in order to distract our Measures they have prevailed on the Creek Indians to take up the Hatchet, these Savages have already made inroads upon Georgia and committed many Murders, my last advices from South Carolina express the apprehensions of Men best acquainted with the temper of the Indians, to be, an open and general War. This alone will involve both those States in deep distress, but I view the attempts on the Western as a prelude to the part which is designed to be acted on the Eastern frontier, and Lord Stirling writes to me from Elizabeth town under the 15th Inst.² that the whole of the 71st Regiment Highlanders, two Battalions of Hessian Grenadiers, two Battalions of Delancy's, two of Skinners New Levies, three Companies of the 64th and two of the 33d are actually embarked and only waited a wind to sail, as from a variety of circumstances he conjectured for the Floridas, under convoy of the Vigilant³ and three Gallies—this Navigation is exactly calculated for Georgia, either directly or by the route of St. Augustine, and the number of Troops about 2500 will be far superior to the strength of Georgia with all the aid which South Carolina engaged in an Indian War can afford her.

The dispersion of Byron's fleet which Your Excellency will learn from the Newspaper which I have the honor of inclosing may occasion very great alterations in the Schemes & Plans of our Enemies, tis far from improbable that Count d'Estaing has carried off some of the scatter'd Ships, he sail'd in the critical moment for meeting them—nevertheless it appears to be essential to the general welfare of our Union that Georgia and South Carolina should be immediately reinforced, and that if possible East Florida be subdued. I submit these intimations to Your Excellency's competent Judgment and remain with great Respect and Esteem, Sir &c.

LB (DNA: PCC, item 13).

¹ Henry's November 9 letter to Laurens, in which he explained that he had delayed marching Virginia militia to the relief of South Carolina and Georgia because of intelligence he had received from Maryland governor Thomas Johnson, is in Henry, *Patrick Henry*, 3:197–98, and PCC, item 71, 1:185–88.

² Laurens also included this intelligence from Gen. William Alexander in postscripts he added to the letters he sent this day to Maryland governor Thomas Johnson and North Carolina governor Richard Caswell. Continental Congress Miscellany, DLC; and Governors' Letterbooks, 1:574, Nc-Ar.

³ At this point Laurens inserted an asterisk to key the following note written at the bottom of the page. "An old India Ship cut down, draws little Water & bears 24 Poundsers."

Henry Laurens to Robert Howe

Sir, 16th November [1778]

I had the honor of addressing you in a Letter of the 6th Ult. by the hands of Colonel Ternant, since which I have received and duly presented to Congress your several favors of the 24th and 26th August, the 22nd and 22nd September and 12th October.¹ The first, second, third and fifth of these have been committed and remain for future consideration, excepting your attention in procuring intelligence of the strength and general circumstances of East Florida, this is particularly approv'd of by Congress, as you will find more fully expressed in an Act of the 10th Instant here inclosed in which Congress have engaged to defray any Expence which may have attended that service.² I have the honor to be &c.

LB (DNA: PCC, item 13).

¹ Howe's August 26, September 22 and 22, and October 12 letters to Laurens are in PCC, item 160, fols. 475-98. See *JCC*, 12:1055-56, 1091, 1107.

² *JCC*, 12:1116-19.

Henry Laurens to Benjamin Lincoln

Sir 16th November [1778]

Within the present inclosure you will receive three Acts of Congress as undermentioned, which I shall transmit in obedience to the direction of the House for your government as Commanding Officer in the Southern Department.¹

1. An Act of the 2nd Instant for reducing the Province of East Florida.

2. An Act of the 10th Instant for obtaining Armed Gallies from the States of Maryland and Virginia, and for divers other purposes therein mentioned for carrying into effect the intended Expedition against the said Province of East Florida.

3. An Act of the 13th for appointing a Deputy Judge Advocate in the State of Georgia, if such appointment shall be found necessary.

I likewise inclose my own Bill of this date on John Lewis Gervais Esquire for the value of One hundred & fifteen Guineas in pursuance of a Resolve in the Act of the 10th Instant for remitting you two hundred Pounds in Specie.² You are well acquainted Sir with the great scarcity of Gold and Silver & the many demands which there are upon Congress for both, and therefore I am persuaded you will be particularly attentive in the expenditure of the sum to be deposited in your hands—if Paper Money will obtain the intended services, as I believe it will from South Carolina, the Specie may be spared.³

I request you Sir, to be assured of my good wishes for your health and complete success, And that I Am, With particular Respect and Esteem, Sir, Your Most Obedient and Most Humble Servt.

LB (DNA: PCC, item 13).

¹ For Congress' directive to Laurens and the enclosed "three acts of Congress," see *JCC*, 12:1091, 1116-18, 1120-21, 1131.

² *JCC*, 12:1120.

³ This day Laurens also paid his colleague William Henry Drayton \$1,500, in return for which Drayton executed the following receipt. "Philadelphia, November 16, 1778. Received of His Excellency Henry Laurens the sum of Fifteen hundred dollars money belonging to the State of South Carolina & for which I promise to be accountable. Wm. Hy. Drayton." South Caroliniana, P4003, ScU. No additional information has been found to clarify the purpose of this transaction.

Henry Laurens to the States

Sir

Philadelphia 16th November 1778

On the 7th Instant I had the honor of addressing Your Excellency by Messenger Owen, and on the 11th of presenting to Congress your Letter dated the 8th.¹

My present duty is to transmit two Copies of the undermention'd Acts of Congress viz.²

An Act of the 26th August 1776 for establishing a Provision for Soldiers and Seamen maimed or disabled in the service of the United States—to which is subjoined a supplementary Act of the 25th September 1778 for the benefit of maimed and disabled Volunteers in the service of the States, antecedent to the date of the first abovemention'd Act.

An Act of the 26th September for organizing the Public Treasury, and for providing an House for the several Offices of Treasury.

17th. You will likewise receive an Act of Congress for holding a general Thanksgiving throughout these States on Wednesday the 30th December next³—and three Copies of the Treaty of Amity and Commerce and of Alliance eventual and defensive between his Most Christian Majesty and these United States for the information and use of the State of Delaware.⁴

18th. Your Excellency's favor of the 15th this Morning presented to Congress afforded the House much satisfaction.⁵ You Sir, & the privy Council have done your part. Congress confide on the General Assembly to Co-operate with you for the benefit of the Union particularly by acceding to the articles of Confederation. The State of Jersey have Resolved to Ratify, we trust that Maryland & Delaware will not much longer be delinquents.

I have the honor to be, with very great Esteem & Respect, Sir, Your Excellency's Most Obedient servant,

Henry Laurens, President of Congress.

RC (IHi). In the hand of Moses Young, with second postscript and signature by Laurens. The text printed here, which contains a unique postscript of the 18th, was directed to President Caesar Rodney of Delaware. Laurens' letters to the remaining states contain only minor variations (PCC, item 13, 2:167-83), except for the letter to Patrick Henry printed separately above.

¹ Caesar Rodney's November 8 letter to Laurens is in PCC, item 70, fols. 679-82.

² See *JCC*, 5:702-5, 12:953-54, 956-61.

³ For Congress' November 17 Thanksgiving Day resolution, see *JCC*, 12:1138-39.

⁴ For the printing of the Franco-American treaties, and the opposition of the French minister, Conrad Alexandre Gérard, to their publication at this time, see Roger Sherman to Jonathan Trumbull, Sr., November 24, 1778, note 1.

⁵ Rodney's letter, which announced that he had just called the Delaware Assembly to convene in special session in accordance with Congress' recent request, is actually dated the 13th. See PCC, item 70, fols. 683-86; and Laurens to Rodney, November 7, 1778, note.

Marine Committee to the Eastern Navy Board

Gentlemen

November 16th. 1778

Our last of the 9th instant acknowledged the receipt of yours of the 28th Ultimo which we have since duely considered.

We shall now repeat what we have been pressing for in our late Letters vizt. your greatest exertions in preparing the Continental Armed Vessels now in the Ports of your department for Sea, being well convinced that you will do every thing in your power for the speedy Accomplishmt. of that desireable business. In future you will please to observe that when Continental Vessels arrive in your Ports they are again to be fitted with all expedition for the sea, and you are to transmit to this Committee weekly an Account of their Number, Situation and the time you think they will be ready to sail. With regard to the Vessels that are now fitting out at your ports, and also with regard to those Vessels that may hereafter arrive, when they are fitted for the sea you will send them out to cruize against our enemies either collectively or Singly as you shall judge proper, using your discretion as to the time for which their Cruizes shall continue, and your best judgment in directing the commanders to such places and on such stations as you shall think will be for the general benefit of the United States, and to Annoy and distress the enemy.

At present we consider it an Object of importance to destroy the infamous Goodrich¹ who has much infested our Coast, Cruizing with a squadron of 4, 5, or 6 armed Vessels from 16 Guns downwards from Egg harbour to Cape Fear in North Carolina, therefore you will please to Order A Sufficient force to range the said Coast to remove

that nusence, Observing generally that the vessels are not to remain too long on any station least the enemy should get intelligence and send A superior force against them.

By a Vessel arrived here lately in 17 Days from Bermuda we learn that four Vessels of Goodriches Squadron were carreening at that place when she sailed.

Congress have established Pursers in the Navy to all ships not under 16 Guns, also an abatement on Slops delivered to Seamen who will enter for twelve Months, and provision in the distribution of Prize Money for the Carpenters & Gunners Mates who have been heretofore neglected. We shall send the Resolves by the next Opportunity.²

We have desired the Commissary General of Prisoners to give strict orders to his deputy at Boston to be attentive to the retaining & exchanging of Marine Prisoners under the direction of your Board, which we hope will be sufficient to remove the inconveniences you have pointed out.³ We request that all further attempts to get out the ship Trumbull may be laid aside for the present unless some very favourable opportunity should speedily offer.

We have lately been informed of the Capture of the Schooner Pigot at Rhode Island mounting Eight 12pdr. Cannon and wish you to purchase her Guns for Continental use. In a late letter from Captain Landais he mentions his not having received the Subsistance Money of 5½ Dollars allowed him by Resolve of Congress of the 25th July 1777. You will please to pay him that Subsistance from the date of his Commission which is the 9th of May 1778 he being in Actual service since that time and consequently intitled to receive it. Captain Landais recommends the use of Powder proofs on board our Ships, we request you will write by the first opportunity to France for 3 doz of them. You will please to inform Captain Hinman that the Papers relative to Captain Thompsons trial are copying and shall shortly be sent forward to your Board.

By Mr. Brown an Express who carried our letter of the 9th instant we sent you 150,000 Dollars and shall shortly remit you a further supply for the use of your Department. We are, Gentlemen, Your hble Servants

P.S. It is our desire that the Ship Ranger be sent out under the command of Lieutenant Simpson. We have determined that an abatement of 50 per Ct. shall be made on the first cost of Slops delivered to Seamen who will enter for twelve months but you will take care to order them to be distributed properly so as that the Seamen shall not leave the Vessels in debt.

¹ For information on the privateering activities of the Goodrich family of Virginia, see these *Letters*, 6:189.

² Congress passed these resolves on November 14. *JCC*, 12:1133.

³ See Marine Committee to John Beatty, October 16, 1778.

Gouverneur Morris to Nathanael Greene

D Sir,

Philadelphia, 16th Novr. 1778.

I have written a long Letter to the Genl.¹ The Burthen of the Song is divide your Army and come hither. I am more and more convinced that unless Something of the former Kind be done we shall find the Distresses in your & Wadsworth's Departments insurmountable. I wish much that He and you should be here not merely for the Sake of the Public but that in addition to that which is indeed also for the public advantage, Prejudices may be removed, Suspensions quieted, Jealousies stifled, Calumny destroyed and Friendship and Harmony and Confidence awakened and kept alive. The General hath Enemies as who is it that hath not. You have Enemies. The Army I am told hath Jealousies and Suspensions about it detrimental to Congress and to the Public Welfare. I hope not. But at any Rate let those who know best what they suffer and how they feel be on the Spot to say in the language of a Soldier Do this Act of Justice and that of Generosity I have served you faithfully reward therefore these Men for they have also most faithfully served. Besides all this perhaps it might be full as proper for him to meet Mrs. Washington here as in any Camp under Heaven. Adieu, I am your Friend,

Gouv Morris

RC (NjP: de Coppet Collection).

¹ See Morris to Washington, November 11, 1778.

Henry Laurens to Silas Talbot

Sir

17th November [1778]

I feel a very high degree of pleasure in obeying the Orders of Congress by transmitting an Act of the 14th Instant for expressing the sense of the House of the bravery and good conduct of yourself and of the Officers and Men under your Command in taking the Armed Schooner Pigot, and for granting you a Commission of Lieutenant Colonel in the Army of the United States in acknowledgment of your Merit.¹

You will receive Sir within the present inclosure the Commission annexed to the Act, and will be pleased to signify to your Officers and Men the applause due to them on this occasion.

drowned, about 500 made prisoners—4 or 5 large Ships were seen entangled among the Shoals & Rocks all their topmasts gone & several lower Masts; the topmasts tis natural to suppose had been struck; the Ships were if not already stranded were thought to be in the utmost danger.

Deduct 5 from 16. 11 will nominally remain, but I would not insure them for a lower præmium than two of that number, taking the chance of foundering smashing of Masts &c &c.

We shall soon receive more special accounts of this fortunate circumstance, I am sure I should have received one as early as the french Minister & probably more minutely, had we not (as I think unluckily & unnecessarily) superseded Major General Heath, by which I have lost an excellent correspondent.

I have the honor to be, Sir, Your Lordship's Most Obedient & Most humble servant,
Henry Laurens.

RC (NNC: Berol Collection).

¹ See Laurens to Alexander, November 15, 1778, note 1.

² See *ibid.*, note 2; and Laurens to Washington, this date, note 3.

³ At this point Laurens inserted an asterisk to key the following note penned at the bottom of the letter: "said to have been to the West of Cape Cod."

Henry Laurens to George Washington

Sir 18th November [1778]

I had the honor of writing to Your Excellency the 15th by Jones. Yesterday I presented a Letter to Congress from Major General Schuyler of the 2d Inst. together with one of the 10th of October from Mr. James Deane which had come inclosed in the General's Letter; A Copy of Mr. Deane's is now transmitted and by Order of Congress referred to Your Excellency.¹

This moment half past six, A.M. Your Excellency's favor of the 14th containing Copy of a Letter from Sir Henry Clinton of the 10th is brought in to me.² I shall present it to Congress this Morning, and I hope the House will enable me to return a judicious answer this Evening or tomorrow.

I have the honor to be &c.

LB (DNA: PCC, item 13).

¹ JCC, 12:1136. These letters from Deane and Schuyler are in PCC, item 153, 3:386-91.

² JCC, 12:1140. For these letters from Washington and Sir Henry Clinton "relative to an exchange of the convention troops," see Washington, *Writings* (Fitzpatrick), 13:258-59, and PCC, item 152, 6:489-94. For Congress' November 19 resolve directing Washington "to appoint commissioners . . . to confer with the commissioners appointed [by Clinton] . . . on the exchange proposed by Sir Henry

Clinton in his letter to General Washington of the 10th Instant," see JCC, 12:1145-46.

Marine Committee to William Smith

Sir

Novemr. 18th. 1778

We request the favour of you to transmit to us by the first Oppty a minute and accurate detail of the whole circumstances relative to the Sloop *Friendship*¹—we wish you to give us the dates of the Agreeemt. made by the Commissary the Seizure &c and to inform us what part if any of the Cargo was private property, whether an Appeal has been made and by who.

We are with regard, Sir, Your very Hble servts

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

¹ For further information on the sloop *Friendship*, see Marine Committee to Thomas Johnson, November 6, 1778.

Thomas McKean's Charges against William Thompson

Novemr. 19th. 1778.

Mr. McKean informs Congress,¹ that upon seeing Brigadier General William Thompson last night in the Coffee house, being lately summoned by the British Commissary of Prisoners to return to New York agreeable to his parole, and thinking he had a pleasing piece of intelligence to communicate to him, he called to the General and told him he had just heard, that General Clinton had proposed to exchange the Officers of the Convention of Saratoga for our Officers who are prisoners; upon which the General, in a great passion, said he was obliged to General Clinton, but not to Congress, they had used him *damned rascally*, for he ought to have been exchanged above a year ago. Mr. McKean replied he was mistaken, for Congress could not with justice or propriety have procured his exchange before, and he ought not to be angry with them without cause; upon which the General raised his voice and said, that the Congress might have exchanged him lately for one who was a General Officer, but another, who deserved little and who was not an Officer, was preferred to him; (alluding to the exchange of Governor Franklin for President McKinly of the Delaware State, as Mr. McKean apprehended) and then aloud and in an imperious tone further said, that the Congress were a parcel of *damned Rascals*, and that he Mr. McKean was so in particular, which he repeated twice, referring as Mr. McKean understood to his having voted for the exchange of Gov-

ernor Franklin for President McKinly in preference to the general: Upon which Mr. McKean, with great calmness told him, that was consistent with justice and propriety, for it was not only in the civil line, Governor for Governor, but Captain General for Captain General, and that he was instructed by the Delaware State to solicit that exchange; and then told the General, he behaved with great indecency towards Congress in his presence. The General then damned him again, and asked him if he was a Gentleman, which Mr. McKean considered to be intended for a challenge, and he then came up to him in an angry manner and touching his shoulder repeated the question; Mr. McKean told him, that he did not think *him* a gentleman, that he was his inferior, and behaved like a Bully and a Brute, and that he should make him repent of his conduct. The General then made use of such low expressions, as are improper to be repeated among Gentlemen, and went to the other end of the room.

Mr. McKean considering this behaviour of Brigadier General Thompson to be a breach of Privilege, to have a tendency to destroy the freedom of voting in Congress, and to be a gross insult upon this Honourable Body from one of their officers, and that in so public a place, thinks it his duty as a Member to communicate it to Congress.

MS (DNA: PCC, item 159). In a clerical hand.

¹ This entry consists of Thomas McKean's account of an altercation that he had had the previous evening with Gen. William Thompson of Pennsylvania, a prisoner of war recently ordered by the British to return to New York under the terms of his parole. Thompson was clearly in an ugly mood when accosted by McKean, disgusted not only at having remained a prisoner of war since June 1776 but also because an arrangement for effecting his exchange for Gov. William Franklin had been canceled in September when Congress resolved to exchange Franklin for Delaware Governor John McKinly instead, a decision for which Thompson mistakenly believed McKean was responsible.

In view of McKean's charge that Thompson's attack was a "breach of Privilege [having] a tendency to destroy the freedom of voting in Congress, and . . . a gross insult upon this Honorable Body from one of their officers," the delegates summoned the general to appear before them the following day. When Thompson denied McKean's charge, Congress ordered him to return for a hearing on November 23 and issued summonses to six men who had witnessed the November 18 confrontation.

Thompson's decision to submit a memorial stating his view of the dispute before his hearing took place, however, had an unexpected consequence. Congress was offended by Thompson's ploy and immediately resolved that the general was thereby "guilty of an insult to the honor and dignity of this house, and of a breach of privilege." Nevertheless, Thompson's hearing was conducted as scheduled the same evening and the general was given an opportunity to speak in his defense following the appearance of witnesses. Because one of the witnesses, Pennsylvania Justice William A. Atlee, was unable to attend, however, further hearings were postponed to the 25th, and then to December 7, and finally to December 23 when three more witnesses were summoned to testify. Therefore not until December 24,

and after a satisfactory apology from Thompson had been received, did Congress finally dispose of the troublesome dispute.

It is clear that the Thompson-McKean feud also involved a good deal more than met the eye, for the two men had been on bad terms for some time. Congress had become increasingly sensitive to cases that raised the issue of the subordination of military to civil authority, and the delegates were apprehensive that aspersions cast on their conduct of prisoner-of-war exchanges would lend comfort to the enemy. Thus it seems probable that Thompson's conduct was seen as something of a test case, and that some delegates who were sympathetic to his grievances nevertheless felt obliged to chastise him. For the principal sources relating to this case, see *JCC*, 12:1146-48, 1150-52, 1161, 1164, 1199-1200, 1227, 1239, 1249-55; and Charles Thomson's Notes of Proceedings in Congress, November 23, December 7 and 23, 1778. For a number of other issues forming the background of this dispute, see these *Letters*, 9:86-87; McKean to Nathanael Greene, June 9, 1778, note 1; Henry Laurens to Rawlins Lowndes, August 18, 1778, note 12; Rodney, *Letters* (Ryden), pp. 280-82; William T. Read, *Life and Correspondence of George Read* (Philadelphia: J. B. Lippincott & Co., 1870), pp. 119-35, 313-14; and Robert L. Brunhouse, *The Counter-Revolution in Pennsylvania* (Harrisburg: Pennsylvania Historical Commission, 1942), pp. 63-64. The controversy has been ably analyzed by Gail S. Rowe, *Thomas McKean, the Shaping of an American Republicanism* (Boulder: Colorado Associated University Press, 1978), pp. 147-52. See also Thomas McKean to the Public, December 30, 1778, and February 1, 1779.

Marine Committee to the Eastern Navy Board

Gentlemen

November 19th 1778

Annexed are extracts of Letters of yesterdays date from the Honble the Sr. Gerard minister of France to Congress, which have been referred to this Committee with directions to comply with the requests therein contained.¹

You will please to order the Captain of the frigate in which the Marquis Delafayette is to take his passage to france to afford Convoy to the Vessel in which the French Prisoners are to embark as far as requested by the Minister and also to accommodate the Chevalier De Remondis Captain of the Ceaser with a passage in the said Frigate to France particularly recommending him to be treated with all kindness & respect, We are Gentlemen, Your Hble servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

¹ On November 18 Congress had directed the Marine Committee to comply with a request from Gérard for "passage on board one of the continental frigates for the Chevalier de Raymond, captain of the *Cæsar*." *JCC*, 12:1140.

Samuel Holten's Diary

[November 20-21, 1778]

20. Friday. Congress spent part of the day in a Come. of the whole, on finances.

21. Saturday. Congress spent part of the day on finances. The Honl. Mr. Ellsworths dind with us.

MS (MDaAr).

Henry Laurens to George Washington

Dear Sir,

Philadelphia 20th Novem 1778

I felt myself doubly honoured by your favor of the 14th Inst.¹ from the confidence of General Washington in the free communication of his sentiments & in the coincidence of his Ideas with my own, upon a question, on the wise decision of which the Inheritance, possibly the establishment, of the freedom & Independance of these States, seems to depend. The respect Sir, which I owe you, demands an immediate reply, & yet the variety of avocations in which I am engaged, do not afford me moments for arranging or expressing my thoughts suitably to the importance of the subject; I am nevertheless encouraged to proceed without hesitation from a conviction, that, were I to deliver my opinions at full length I should be obliged to borrow Your Excellency's words, which I have the honor of assuring you Sir, are in more than one Instance repetitions of my own, & that in every other, one excepted, our sentiments on this momentous discussion exactly accord.

I believe & upon good grounds, the scheme for an expedition into Canada in concert with the Arms of France originated in the breast of Marquis delafayette, encouraged probably by conferences with Count d'Estaing & I also believe it to be the offspring of the purest motives so far as respects that origin, but this is not sufficient to engage my concurrence in a measure big with eventual mischiefs.

As deeply as my very limited time & faculties had suffered me to penetrate, I had often contemplated our delicate connexion with France & although it is painful to talk of ones own foresight, had viewed & foretold fifteen Months ago the humiliating state to which our embrio Independence would be reduced, by courting from that Nation the loan of more Money than should be actually necessary for the support of the Army & of our unfortunate Navy.

I was one of the six unsuccessful opponents to the resolution for borrowing Money from France for paying the Interest of our loan Office Certificates²—we have in this single article plunged the Union into a vast amount of debt, & from neglecting to exert our very small abilities or even to shew a leading disposition to cancel any part of the former demand against us, our Bills for that Interest are now floating in imminent danger of dishonor & disgrace. Fully persuaded of the value of National honor I anxiously wished to support our own

by a propriety & consistency of conduct & I dreaded the consequences of subjecting our happiness to the disposal of a powerful Creditor, who might upon very specious grounds, interpret National honor to our destruction—I warned by friends against the danger of Mortgaging these States to foreign powers. Every Million of Livres you borrow implies a pledge of your Lands, & it is optional on your Creditor to be repaid at the Bank of England with an exorbitant Præmium, or to collect the Money due to him in any of your Ports & according to his own mode whenever National Interest shall require the support of pretended National honor—hence Your Excellency will perceive what were my feelings, when the propositions for subduing Canada by the aid of a French Fleet & Army were first broached to me. I demurred exceedingly to the Marquis's scheme & expressed some doubts of the concurrence of Congress, this was going as far as I dared consistently with my Office or considering him as a Gentleman of equal honor & tenacity I trusted the issue of his application to the sagacity of Congress, the business was referred to a Committee who conferred with the Marquis, their Report was framed agreeable to his wishes, but the House very prudently determined to consult the Commander in Chief previously to a final determination,³ and although Your Excellency's observations are Committed, I am much mistaken if every Member in Congress is not decided on his opinion in favor of them. If the prosecution of so extensive a project is from the present state of our Army & funds impracticable on our part, it becomes altogether unnecessary to discuss the point in a political view, & I trust the Marquis will be satisfied with such reasonings in apology for our desisting from the pursuit of his favorite enterprize as our circumstances will dictate.

The immense debts which we are involved in abroad & at home demand the most serious attention & call for an exertion of the collected wisdom of all these States in order to secure what we have saved from the Ravages of the Enemy. I am very short sighted, if there is at this time any encouragement for attempting distant conquests.

I have been uniformly averse from every proposition which tended to dissipate our strength & to accumulate our debts. Events have confirmed my opinion, & at this Instant taking in view all circumstances I have doubts of the policy & more of the success of the pending expedition against East Florida.

Congress will probably recommend to the States to raise a Tax of near 20 Million the ensuing Year, this I hope will have a good effect, by returning many of us to first Principles from which we have been too long wandering. This almost intolerable burthen will rouse & animate our fellow Citizens. They will probably send Men of abilities to investigate Causes, to enquire into expenditures & to call delinquents for unaccounted Millions to severe reckonings, they will do

what they have hitherto shamefully neglected, pass necessary Laws for this purpose. This heavy Tax & the prospect of increasing impositions will shew our constituents the necessity for consolidating our strength, as well as the impropriety & danger of new expensive Military enterprizes. Virtue & Patriotism were the Motto of our Banners when we entered this Contest, where is virtue, where is Patriotism now? when almost every Man has turned his thoughts & attention to gain & pleasures, practicing every artifice of Change Alley or Jonathan's⁴—when Men of abilities disgracefully neglect the important duties for which they were sent to Congress, tempted by the pitiful Fees of practicing Attornies—when Members of that Body artfully start apoint, succeed, & then avail themselves of the secrets of the House, commence monopolizers & accumulate the public debt for their private emoluments; I believe many such tricks have been acted. The particular instance which I allude to cost these States a large Sum of Money without putting the Criminal to the expence of a blush. When Men in almost every important public department are actually concerned in Commerce incompatible with the strict duties of their respective Offices, when the most egregious delinquents meet with support in Congress & escape examination—I am tired & fear tiring you Sir with this horrible half finished picture. I will therefore leave it but not before I add that the United States of America are in most deplorable circumstances, that the acquisition of a foreign Minister has fixed the Eyes of Europe upon them, that their weaknesses & their wickednesses are no longer hidden, that the States respectively are much to blame, & that without speedy reformation their shame & ruin collectively will follow.

The disaster of Admiral Byron's Fleet & the successful departure of Count d'Estaing's are events much in our favor, that is to say, if we are pleased to make a wise improvement of them but from experience fearing the contrary I am almost tempted to wish they had not happened. These fortunate circumstances will lull us to sleep again, & while our Ally is gaining honor, aggrandizement & the highest national advantages we shall be sinking into a State little better than tributary & dependent—be this as it may, the World will ever honor by acknowledging the virtues of the Man who from my inmost Soul I believe keeps us at this Moment from crumbling.

I have the honor to be With the most sincere Respect & Esteem,
Dear Sir Your much obliged, & obedient humble Servant,

Henry Laurens.

RC (DLC: Washington Papers).

¹ See Laurens to Washington, November 18, 1778, note 2.

² See *JCC*, 8:725; and these *Letters*, 7:616–17.

³ See Committee for Foreign Affairs to Washington, October 27, 1778.

⁴ Undoubtedly a reference to Jonathan's coffeehouse standing in Change Alley,

so called because of its location opposite the Royal Exchange in London. Probably familiar to Americans through Jonathan Swift's satirization of the speculative fever associated with the South Sea Bubble, the collapse of which in 1720 moved him to write: "There is a Gulph where thousands fell,/Here all the bold Advent'urers came,/A Narrow Sound, though deep as Hell,/Change-Ally is the dreadful Name." "The Bubble," lines 137-40.

Henry Laurens to George Washington

Sir

20th November [1778]

I beg leave to refer to what I had the honor of writing to Your Excellency under the 18th Instant by Humphrey.

I was Yesterday honor'd with Your Excellency's Letters of the 11th and 12th, which were immediately presented to Congress, the former is committed to the Board of War, the other to the Committee on the Marquis de la Fayette's Letters.¹

Inclosed with this will be found an Act of Congress of the 17th Instant for a general Thanksgiving to be observed throughout the United States on Wednesday the 30th of December next. An Act of the 19th for exchanging Officers of the Convention Troops for American Officers in the actual possession, or within the power of the Enemy;² and also three Copies of the Treaties of Amity and Commerce, and of Alliance eventual and defensive between His Most Christian Majesty and the United States of America. The transmission of this Paper to Your Excellency in particular, is a circumstance which I have long wished for.

I have the honor to be &c.

P.S. I detained this Bearer all yesterday, hoping Congress would have enabled me to have made necessary returns to your Excellency's unanswer'd Letters—'tis now early the 21st.

LB (DNA: PCC, item 13).

¹ JCC, 12:1142-43, 1147. Washington's letters to Laurens of November 11 and 12 are in Washington, *Writings* (Fitzpatrick), 13:223-44, 249, and PCC, item 152, 6:451-82. The former was a 25-page analysis explaining his opposition to the proposed Canadian expedition, which Washington had been invited to make "observations upon" by the Committee for Foreign Affairs in their letter to him of October 27.

² JCC, 12:1145-46.

Marine Committee to John Barry

Sir

November 20th 1778

Congress having by a Resolve dated the 10th instant¹ directed you to take the Command of all the Armed Vessels that are to be employed on an intended expedition against east Florida, subject to

the Orders of the commander in chief in the Southern Department, we think proper to give the following directions which you are duly to Observe.

You are forthwith to proceed to Maryland, and there apply to Governor Johnston, who is requested by Congress to put under your command all the armed Gallies, that shall be manned and fitted out by that government for the expedition, and if upon your Arrival you should find any of them not ready for Sea, you will then use your best endeavours to expedite their equipment with the utmost dispatch.²

As Congress have also requested a number of Gallies from the State of Virginia and as your security on the voyage to Charles Town will in some Measure depend upon a junction of the Gallies from each State, it is highly requisite you should make yourself immediately Acquainted either by Letter or applying to the Governor in person, with the Number of Gallies that will be fitted out by that government, and the time they will be ready for Sea, and if those from Maryland can be equiped nearly about the same, and it is not disagreeable to the Governor of Virginia, you will then so govern your measures as to form a junction of your little [*fleet*] in some convenient place in Virginia from whence you will proceed to Charles Town in South Carolina.

If Virginia should not be disposed to furnish any of her Gallies for this expedition or if it should be disagreeable to either of the Governors of Maryland or Virginia that the Gallies of each State should sail in company, you will then proceed with those from the State of Maryland. If Maryland should not be in a situation to furnish and equip her Gallies for this expedition, you will then if not disagreeable to the Governor of Virginia take the command of these to be furnished by that state. You are to assist as far as lies in your power in manning and equipping the gallies from each State, and to be careful in establishing a proper system of Signals for the government of your fleet. You are to receive from the Quarter Master General on board the Gallies from Maryland a quantity of bar Iron not exceeding ten Tons. When you arrive in Charles Town in the State of South Carolina you will there receive and Obey the Orders of the commander in chief in the Southern Department.

We recommend it to you to cultivate harmony among your officers and Men as essentially necessary to the public service and trusting much to your valour and good conduct, We have strong hopes of a favourable Issue to the intended expedition. We are sir, Your Hble Servts

P. S. You are from time to time to give us full information of your proceedings.

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

¹ See *JCC*, 12:1119-20.

² For Congress' request to Maryland and Virginia to supply galleys for the attack on East Florida, see Henry Laurens to Patrick Henry, November 14, 1778, note 2.

Henry Laurens to William Alexander

My Lord.

Philadelphia 21st Novr. 1778

I thank you for Your Lordships favors of the 17 & 19th which came to hand late last Night ¹—it may be truly said that Admiral Byron has paid for his peeping, & I fancy we dont yet know the whole score. There seems to be about 6 or 7 unaccounted Vessels of his squadron which I think consisted of 16 Capital Ships, if these have taken their Lodgings at Nantucket or gone to Winter with Count d'Estaing in the warmer latitudes, I am content. Alas poor old England, I feel her approaching distress & pray that her Eyes may be opened before it be quite too late; who can dry eyed behold, a falling Kingdom, or a Kingdom in which there are thousands whom he personally loves, falling into great contempt & disgrace among Nations?

Your Lordship will find within, the Advertisers of the 19th & this date with duplicates say triplicates.

I have the honor to be With very great Esteem & Respect My Lord,
Your most obliged & obedt. servt, Henry Laurens

RC (PHi: Gratz Collection).

¹ Alexander's November 19 letter, discussing the ships from Adm. John Byron's fleet that had recently "Arrived at New York in distress," is in the Laurens Papers, no. 18, ScHi. His November 17 letter has not been found, although one of that date to Washington containing intelligence about Admiral Byron's fleet at Sandy Hook, which was probably similar to the report he sent to Laurens, is in PCC, item 152, 6:559.

Henry Laurens to Stephen Drayton

Sir

21st November [1778]

I have been near two Months in possession of your favor of the 5th of September without power to make a proper reply until the present opportunity because Congress had not determin'd upon the appointment of a Deputy Quarter Master General earlier than the 17th Instant.

Within the present Inclosure you will receive an Act of Congress of that date, by which you will be informed that you were then unanimously elected to the Office above mentioned, and this Act will be your Warrant for proceeding in the execution of the Duties of your Appointment.¹

I have had more than one conference with the Board of War respecting your Rank. The Board are of opinion that there is no Rank incidental to the Office, and therefore declined the insertion of Rank in a Commission. I have instanced the Commission of your Predecessor, to this I have been answered that there had been some management in that case unknown to Congress, and altogether improper. This opinion seems to be supported by referring to all the Deputy Quarter Masters in the other Departments, none of whom, as far as my knowledge extends have Rank in the Army as of right annex'd to the Office, altho' they are generally complimented with the title of Lieutenant Colonels. In the late Arrangement of the Quarter Masters' Department, not a Commission has been issued from my Office, and I observe that the Commander in Chief directs to my Neighbour, commonly call'd Colonel Mitchell, "John Mitchell Esqr. Deputy Quarter Master General." You will naturally ask, have Congress established no Rule in this Case? This shall be my inquiry, and if I discover that you are entitled to Rank, by Rule or established precedent, you may depend upon receiving a proper Commission by the next Messenger to Charlestown. In the meantime I will endeavour to prevail on my Honorable Colleagues to move Congress for an appointment in your favor of Quarter Master General of the Southern Department. There appears at present an absurdity in the term of Deputy, when compared with the Appointment of Major General Greene, & his power of appointing all his Deputies, from whom you receive no instructions, nor are you in any respect accountable to him under an appointment descending directly from Congress. I will not trouble you Sir, with further reasonings on this subject, you will perceive my inclination from what I have already said to obtain for you all that of right appertains to your Office. I know that heretofore Commissions have been shamefully prostituted, and I am informed that former Deputy Quarter Masters in several instances from favoritism and other vicious sources derived Rank; if this be true, I am too well acquainted with your Principles Sir, to suppose you would wish me to follow such examples—the Army cried aloud against them, and the last Arrangement was intended to prohibit and abolish the practice.

I have the honor to be, With Regard, Sir, Your Obedient & Humble Servant

P.S. Upon further investigation I find that the Officers under General Mifflin as Quarter Master General were entitled to Rank, & Colo. Mitchell informs me that none of the Deputies of Major Genl. Greene in the present Establishment have Commissions. As Commissions have from necessity been lodg'd in the hands of Governors, Presidents of States and General Officers & no returns made of the disposition of such Commissions, it has been hitherto impossible for

the President of Congress or the Board of War to ascertain with precision an Army list. This *has occasion'd much clashing of Rank*. We are now *endeavouring to lessen* the mischief, and if possible to remove it altogether.

LB (DNA: PCC, item 13). Addressed: "Stephen Drayton Esquire, Charlestown, So. Carolina. by Sharp."

¹ Stephen Drayton (1736–1810) had been a Granville County justice of the peace, represented St. Luke Parish in the South Carolina Assembly in the late 1760s, and was elected to the colony's Council of Safety in 1775, but he abandoned politics for the army at the outbreak of the war. By 1778 he had risen to the rank of major and been appointed aide-de-camp to Gen. Nathanael Greene. On November 17, 1778, Congress elected him deputy quartermaster general for the southern department. See Walter B. Edgar et al., eds., *Biographical Directory of the South Carolina House of Representatives* (Columbia: University of South Carolina Press, 1974–), 2:202–3; and *JCC*, 12:1137–38.

Henry Laurens to William Heath

Dear sir

Philadelphia, 21st November 1778

Having no public Commands respecting you, which I am exceedingly sorry for considering the anxiety of some of the Officers of the Convention, I must content myself with transmitting you the Advertisers of the 19th & this day, a return for your favors which I ought never to neglect.

I am at a loss how to direct to you, another circumstance this, which I am exceedingly sorry for, & the more so as I think it must be disagreeable to General Gates to deprive you of the Command of the Eastern district without solid foundation or real necessity for the measure.¹ I can nevertheless & do with great truth subscribe that I am, Sir, Your most obedt. & most humble Servt,

Henry Laurens, Private

RC (MHi: Heath Papers).

¹ A reference to Congress' October 22 decision, sparked by concern over the prospect of a new British attack on New England, to order Gen. Horatio Gates to Boston "to take command of the continental forces that are or may be in the eastern district." *JCC*, 12:1038.

Henry Laurens to Francis Huger

Sir

21st November [1778]

I was honored with your favor of the 27th August and the 13th Instant.¹ It was left at my house by some unknown hand. I presented

it the next day to Congress, and was directed to lay it on the Table, from an opinion, as I conjecture, that the subject could not be taken under consideration consistently with the present Arrangement of the Quarter Master Generals Department nor the Brevet Commission granted in contravention of an Act of Congress declaring that such Commissions shall not entitle the parties to whom granted to any Pay.

Congress have appointed Stephen Drayton Esqr. Deputy Quarter Master general in the Southern Department by an Act of the 17th Instant which I shall transmit to that Gentleman by the Messenger who is to be bearer of this.² I have the honor to be, With great Respect, Sir, Your Obedient Servant

LB (DNA: PCC, item 13).

¹ Lt. Col. Francis Huger (1751–1800), deputy quartermaster general for South Carolina, had signified his desire to resign his post in the quartermaster department. His letters to Laurens have not been found, but his resignation is discussed in Gen. Robert Howe's September 5, 1778, letter to Laurens. See PCC, item 160, fol. 479; and Walter B. Edgar et al., eds., *Biographical Directory of the South Carolina House of Representatives* (Columbia: University of South Carolina Press, 1974–), 3:354–55. For the controversy between state and Continental authorities in South Carolina over Huger's conduct and accountability, which had come to a head the previous spring and probably figured significantly in his decision to resign, see these *Letters*, 9:703n.5.

² See Laurens to Stephen Drayton, this date.

Samuel Adams to James Warren

My Dear Sir.

Philada., Novr. 23, 1778

I have lately received a Letter from our worthy Friend Mr. J. A. of an old Date, the 21st of May.¹ "Our Affairs says he in this Kingdom, I find in a State of Confusion & Darkness that surprizes me. Prodigious Sums of Money have been expended and large Sums are still due; but there are no Books of Accounts nor any Documents from whence I have been able to learn what the United States have receivd as an Equivalent." And yet we are told by a Gentleman lately from France that the Accounts & Documents were left in the Hands of a Person in Paris. My Friend A. L.² is called by those who dread his Vigilance "a dissatisfied Man." Having receivd many Letters from him since I last saw you, I know he is dissatisfied. What Man who regards the Publick Interest, or his own Reputation, can be satisfied, when he sees Millions of Livres spent, himself accountable with others for the Expenditure, and the Man through whose hands the greatest Part has passd without consulting him after being repeatedly called upon by him, unready or unwilling to account for them. There are other Things which my Friend complains of, and I think not without Justice. When I consider the high Character which

one Man sustains and the Depth of Art which he is Master of; the low mercantile Cunning & Plausibility of another,³ the servile and adulating Disposition of some on this side of the Water, the Commercial Interests & Connections of others, and the too formidable Combination of Men of Ambition, Avarice and Vanity, to sacrifice the Characters of those whose Conduct is a perpetual Remonstrance against them, I cannot say I am without Apprehensions of what may befall that eminent American Patriot. I fear America is too unsuspecting long to continue free. Men of corrupt Principles, who seek to accumulate Honor & Wealth to themselves, to the Prejudice of the Publick, will endeavor to lull the People into Security, or, as they will call it, perfect good Humour, that they may not keep a vigilant Eye over them. It is the Right of the People which they ought to exercise, a Duty which they owe to their Posterity to think & speak & publish with a decent Freedom, their Sentiments of publick Men & Measures.
Adieu.⁴

RC (MHi: Warren-Adams Papers). In Adams' hand, though not signed.

¹ John Adams' May 21, 1778, letter to Samuel Adams is in Adams, *Diary* (Butterfield), 4:106-8.

² That is, Arthur Lee. For his correspondence with Adams, see Samuel Adams to Arthur Lee, October 26, 1778, note 1.

³ That is, Silas Deane.

⁴ For the continuation of this letter, see Adams to Warren, December 9, 1778.

Samuel Holten's Diary

[November 23, 1778]

23. Monday. Congress sit in the evening untill after 10 oClock.¹ I received a letter from Miss Holten per the post.

MS (MDaAr).

¹ Congress spent this evening hearing witnesses and examining evidence on the subject of Thomas McKean's charges against Gen. William Thompson. See Thomas McKean's Charges against William Thompson, November 19; and Charles Thomson's Notes of Proceedings in Congress, this date.

Henry Laurens to John Ettwein

My dear friend,

Philadelphia, 23 November 1778

Monsr. Gerard the Minister Plenipotentiary of France will be, provided he meets no obstruction on the Road, at Bethlehem on Wednesday the 25th Inst. about midday. This worthy Character merits regard from all the Citizens of these States, an acquaintance with him will afford you satisfaction & I am persuaded his Visit will

work no evil or inconvenience to your community. Don Juan de Miralles a Spanish Gentleman highly recommended by the Governor of Havanna will accompany Monsr. Gerard, the whole suite may amount to six Gentlemen & perhaps a servant to each. I give this previous intimation in order that preparations suitable to the occasion may be made by Mr. Johnson at the Tavern, & otherwise as you think expedient.¹ My good wishes attend you all. I beg Mr. Okely will forbear with me a few days longer. I consider him as a merciful Creditor & when an opportunity presents I will pay him more in one Act than all my words are worth. Believe me Dear sir to be with sincere respect & very great affection your friend & most humble servant.

Henry Laurens.

RC (PBMCA).

¹ According to the Moravian diaries in the church's archives at Bethlehem, Pa., Gérard and Miralles, accompanied by Silas Deane, "arrived from Philadelphia to see the sights here" on November 25. *PMHB*, 13 (April 1889): 84-85.

Henry Laurens to Arthur Middleton

Dear sir, Philadelphia 23d. November, 1778.

I hold myself always responsible to a Creditor & if my debt is greater than he is apprized of I think it mean to avail *myself* of little remissnesses on his part as a pretext for concealing a little of the Account, nor will I take advantage of my Lord because he has gone into a far Country, nor hazard my fame to be ranked with the cursed unaccountable, He to be, accountable, family, the most numerous & most infamous of all the tribes in the Northern & Eastern parts of our ununited States.

When about 13 Months ago you left York Town you were pleased to deposit in my hands five hundred & twenty Paper Dollars & said you would inform me from Fredericksburg how to dispose of them, this I esteemed an honorary procuration, & although you have failed of your promises to write, yet as I have heard of no super-sedeas I hold myself to be your true & Lawful Attorney in the State of Pennsylvania, in virtue of my power therefore I have paid to Mrs. Middleton's Chestnut Street Housekeeper one hundred & twenty five Dollars which the good Woman says ought to have been twenty five golden Guineas. I received from her several articles of your household furniture which she had saved from the claws of the Enemy, & profiting by her information, I have by a little address of my own & much adroitness of Mr. James Custer [squeed?] out a great many more from your late Landlady, the whole as James informs me falls short of Mrs. Morton's account, & he is therefore determined to exercise

his utmost skill for the recovery of the balance. You will receive within his list of every thing I mean of the things referred to which are now in my possession or rather in his. Pray order your Secretary Sir, to inform me what I shall do with them, poor as I am I have not a covetous eye upon a single article, the black silk petticoat excepted. I think it will afford me a couple of very clever under Jackets, if you should hear that it has been destined to such service impute it to no other desires than those which this frigid clime & the horrid price of quilted silk in these times naturally provoke. I have consulted our friend the Chief Justice on the propriety of selling all these articles except the one before excepted. I forget what was his opinion, I will consult him again to day & pursue his advice. James has been continually on the look out for an empty Waggon going to our Country, had such an opportunity presented it would have been embraced even at some expence in order to have put your property into your own hands, especially the finer articles & a straw Box & narrow deal Case which Mrs. Morton says contain Papers, these however you may be assured are as safe as you would wish them to be if they are full [of] all your juvenile Billets doux. Don Juan de Miralles expects a Waggon from Charles Town this may afford me a proper conveyance, but should my new Landlady our old Landlady's daughter Allen again eject me under a pretence that she mistook our bargain for Rent because she has been offered more, I shall certainly order all the heavy articles to be sold at auction in preference to lugging them from House to House. I fancy when you left York Town you had no expectation of hearing so long a tale of your deserted effects, I won't tire you with any more of it but say in a word I will do for you as I would for my self for upon my honor if you wanted an old black silk quilted Petticoat as much as I do & I had one to spare it should be at your service. You will also find under cover with this an Account from your Landlord, if he presses very hard for the paper part before I receive your Audit I must pay it, this seems to be implied in the surrender of your demeans which had been in his custody—for the Gold I must move to postpone.

The state of the Garrison at New York, the disaster of Byron's fleet, the escape of Count d'Estaing & the prospect of his running in triumph through the West India Islands are topics of our present conversation, you will read more extended accounts of each in the News Papers & this moment we learn by a Vessel from the West Indies of a second engagement between Mons. d'Orvilliers & Ad. Keppel in which the former 'tis said gained a victory. I wish this may be true.

I have the honor to be, With great Respect, Sir, Your obedient
& most humble servant,
Henry Laurens.

Charles Thomson's Notes of Proceedings in Congress

[November 23, 1778]

Examination of witnesses in Congress Monday Nov 23. 1778 respecting the charge against brig. gen. Thompson.¹

John Evans Esqr. sworn,² says

On Wednesday Evening was sitting in a box in the coffee House with Mr. McKean and others, when brig T. came in. That Mr. MK called brig. T. who came and sat down; That Mr. MK in a good natured way told him he had good news to tell him. Thinking it to be some private matter I turned away & did not attend, till I heard brig. T. raise his voice in a loud manner.

That brig T said he had been treated in a rascally manner by Congress and particularly by you (speaking to Mr. MK). You are a damned rascal, I ought to have been exchanged long ago. Some who have been taken asleep in their bed have been exchanged. But I who was taken in the field fighting am not exchanged.

Q. Do you recollect to have heard brig Thompson say Congress are damned rascals?

A. I do not recollect more than what I have said.

Q. When brig T said he had been treated by Mr MK in a rascally manner did you conceive it alluded to his conduct in Congress?

A. I conceived it to be for what Mr. MK did in Congress relative to exchange. My reason for thinking so was Brig. T. said, he was not obliged to Congress, he was obliged to genl Clinton: that he would follow G.C. to great Britain, if he required it.

Brig. T. question: Did I go into the box where Mr MK was?

A. Yes and sat down.

Q. Did you understand I meant any abuse to Congress or personally to Mr MK?

A. I cannot say what his intention was. I have stated facts.

Question repeated.

A. I cannot say.

Col. Jos. Deane sworn.³

Q. Were you in the Coffee house on Wednesday evening?

A. Yeas.

Q. Did you hear the conversation that passed between Mr MK & brig T?

A. I heard part of it. I was at the Coffee house on Wednesday Evening when brig T. came in. Mr. MK called him. He came and sat down in the box. Upon which I went to the other side of the house. Presently I heard very loud words. The House was in Confusion. I thought the gentlemen would come to blows. Upon which I went up and stepped in between them, Mr MK & brig T. Many words

passed, but cannot particularly recollect them, my attention was taken up to prevent their getting together.

Q. Did you hear what Mr MK first said to brig T. when he came into the box?

A. I did not, because I left the box when he came up.

Q. Did you hear any expressions of brig. T. reflecting on Congress?

A. I do not recollect any.

Q. Did you hear any dispute about a boy?

A. Towards the latter end of the dispute when I got in between them I heard brig T. mention a summons which Mr. McK had sent him. Mr. MK said it was not a summons but a letter.⁴

B[rigadier] T[hompson] Q[uestion]. Did you understand from any thing I said that I intended any abuse to Congress?

A. I do not recollect to have heard Congress mentioned.

John Purviance sworn.⁵

I was in the Coffee house on Wednesday evening, & saw gen T in a passion, And heard him frequently repeat the word rascal which I imagined he intended to apply to Mr MK as he was addressing him. I do not recollect any particular expressions.

B[rigadier] T[hompson] Q[uestion]. Did you understand I intended to reflect upon Congress?

A. I did not hear the word Congress mentioned.

M. Thos Bradford sworn.⁶

I was in the box with Mr MK & Col Little on Wednesday evening, we were talking about the officers being called in by genl Clinton when gen. T. came in. I said there is gen T. upon which Mr. MK called him. When he came up I left the box & went to another part of the house. Presently I heard them speaking very loud. Gen. T. seemed to reflect hard upon some body of men, whether commissary of prisoners or whom I cannot say. He said he was not exchanged, while others who were taken in their beds were exchanged.

I heard him say several times to Mr. MK. you are no gentleman and touching him on the shoulder ask him are you a gentleman. Mr MK said not in the sense you mean. I will make your heart ake for this. Genl. T. said, I will make your bones ake for this.

Q. Did you hear the beginning of the conversation?

A. I heard Mr. MK call gen T. to the box but did not hear what Mr MK said first to gen T. because I then retired.

Q. Did you hear gen T. use any terms of abuse agt Congress?

A. I cannot say that I heard the word Congress used.

Here he began to tell what he thought and what he imagined but was interrupted and desired to relate the expressions used.

I cannot relate any expressions. Gen T reflected hard upon some body of people.

Q. On what account?

A. Respecting exchange.

Q. In what terms did Genl. T. reflect on that body of Men?

A. I thought he reflected on them for partiality in the exchange.

Q. Was the word partiality used?

A. No. But I thought he seemed to charge them with partiality.

Pres.⁷ Repeat the expressions used, not what you think or imagine.

A. I don't remember any particular expressions.

Q. On what occasion was the word rascal used?

A. It was repeated often, but cannot say particularly at what time or on what occasion.

Q. You said G. T. reflected hard upon some body of men & that it was respecting exchange, do you recollect what genl Thomp. said on that occasion?

A. Gen T said prisoners have been exchanged who were taken in their bed while I who was taken fighting in the field am not exchanged. I thot. this related to the exchange of Mr. McKinly but am not certain. I may be mistaken.

Q. Did you hear Mr MK say he was ordered by the Delaware state to solicit the exchange as Mr Pres. McKinly?

A. I did not.

Q. Did you hear any thing about a summons?

A. Gen T told Mr MKean he had used him ill, he had sent A summons for him. Mr MK said it was not a summons. Gen. T. said it was. Mr MK said it was not. G T. said it was. Mr MK said, well produce it. G T. said I have not got it. M MK said, What have you done with it. Gen T. said I wiped my arse with it. You are no gentleman. Then touching him on the shoulder said are you a gentleman.

Q. Was this conversation before or after what was said respecting exchange?

A. It was after this that I heard what was said respecting exchange.

Q. What was the subject when you heard Gen T use the word rascally?

A. I cannot recollect.

Q. Was the expression rascal or rascally treated applied to the body of people you said were severely reflected on?

A. I cannot say.

Q. What terms were used agst. the body of Men?

A. Men who were taken sleeping in their beds have been exchanged while I am left unexchanged who was taken in the field fighting.

G T[hompson] Q[uestion]. Was the term rascally applied when the affair of the summons was talked of?

A. I cannot say.

Q. Was the term rascally used during the subject of exchange?

A. I cannot recollect.

Mr P. Fooks sworn,⁸ said

Gen. Thompson was sitting in the box when he went into the coffee house. That high words passed between him & Mr MK. That he heard Mr MK desire Gen. T. to be quiet and he wd. explain the matter. It was only a letter. G. T. said it was a summons. That he was sorry to see two gentlemen for whom he had a respect abuse each other, and did not attend so as to repeat expressions. This is all he Knows.

Brig Thompson desired some witnesses might be sworn & examined; whereupon Major Forrest was sworn,⁹ say[s]

He was in the Coffee house on Wednesday. That he heard Gen. T. say to Mr MK I despise you. I have been treated scandalously. Mr MK said I meant to befriend you. Gen T. replied Damn your friendship. Old women taken in their beds have been exchanged while my hands are tied.

Q. Did you hear any expressions reflecting upon Congress?

A. I did not hear Congress mentioned, I thought it was a private quarrel.

Q. What Did you conceive the quarrel to be about?

A. I did conceive it to be relative to the exchange.

Q. Did you hear president McKinly named?

A. I did not. I understood Mr. McKean said he was president of the Delaware state.

Q. Did you hear any mention made of gov Franklin?

A. I did not.

Q. Was you present at the beginning of the dispute.

A. I thought I was but from the evidence given I find I was not.

Q. Do you recollect any terms of reproach in the dispute?

A. I heard gen T. call Mr MK a damned rascal, after which I heard Mr MK call gen. T. a dirty low fellow.

Q. Did you understand the word rascal applied to him as to member of congress?

A. I did not.

Q. On what occasion was the term used?

A. I understood it was about the exchange. And that Mr MK had prevented gen. T's exchange.

Q. Did you hear the term rascal used on any other occasion than in the dispute about the exchange.

A. I heard it used about the exchange and also about some affair that happened in Carlisle.

Q. Did you imagine that gen T. called Mr MK a rascal for anything he had done or said in Congress?

A. I did not know that Mr. McK was a member of Congress.

Jos. Carsan sworn,¹⁰ says

He saw gen T. go into the box where Mr McK was, soon after there were high words between them. Gen T. said M McK was a damned rascal. That there had been persons exchanged who were taken in their beds and he was not exchanged.

Q. Did you hear the word rascal or rascally applied to Congress?

A. I did not.

Q. You hear any other subject of dispute than the exchange?

A. When gen T was in the heighth of his passion I heard him talk of a summons.

Q. What did brig T. say when he went first into the box to Mr MK?

A. I was not within hearing when gen T. went into the box.

Q. Did you hear gen T. say anything against congress?

A. I did not.

Mr. Alexander Holmes¹¹ sworn, say[s]

He was in the Coffee house on Wednesday evening, heard gen T. repeatedly say he had been very ill treated; that one or more who had been taken in their beds had been exchanged, while he was neglected, that he seemed to be in a great passion with Mr MK & said had it not been for him and some other rascals, he would not have been in the situation he was in.

Q. Did you hear any other subject of dispute between them?

A. I heard some dispute about a boy.

Q. Did you hear Gen T call Mr M a rascal?

A. Yes, I heard him say you are a rascal, thought he applied it to Mr McK.

Q. Did you hear what Mr MK first said to brig T?

A. I was not present at the beginning of the dispute. I heard Mr MK say to gen T. I am your superior. Gen. T. resented this and seemed in a great passion.

Q. Did you hear any mention of governor Franklin?

A. I do not recollect that I heard govr. Franklin named.

Q. Was the conversation about the boy before or after the expressions, "had it not been for him &c"?

A. I think it was after.

Q. Did you think those expressions, had it not been for him and some other rascals &c, alluded to Mr MK conduct in Congress?

A. I did not know that Mr MK was a member of Congress.

Mr. Alexr. Nesbit¹² sworn, says

He was not present at the beginning of the dispute, when he came up to them he heard Mr MK say to genl T. I am your superior, to which gen T. replied You my superior. You are a damned rascal.

Q. Did you hear brig T. reflect upon Congress?

A. I did not hear any reflections against Congress?

Mr John Pringle ¹³ sworn, says.

He was in the coffee house, heard some person tell Gen T wanted to speak to him. Gen T. went to the box. Gen T. said something about exchange. Mr. MK you will be exchanged. Gen T. replied. No thanks to you for that. He thought he was very ill used, from what gen T said it seemed to him that gen T. thought there was an exchange made in preference to him. He said his hands were tied, got very angry and used harsh expressions.

Q. What were those expressions?

A. I heard him say, you are a damned rascal.

Q. On what Occasion was this said, or for what did he call Mr MK a damned rascal?

A. I think it was on account of the exchange.

Q. Did you hear Brig T say any thing agt. Congress?

A. I did not hear any thing about Congress.

Q. Did you hear any thing about a deserter or summons?

A. Gen T. came out of the box walked across the floor, then went back toward the box and said Mr MK used him ill about a deserter.

Q. Did you hear any thing respecting Mr President McKinly?

A. Something dropped abt. Mr MKinly, but just at that time I turned and went to another part of the house, did not hear distinctly what it was.

Q. Did you hear Brig T. blame Congress on account of exchange?

A. I did not hear gen T blame any but Mr MK relative to the exchange.

Colo. Patton ¹⁴ sworn, says

He was at a distance, dont know the cause of the dispute. Heard genl T. call Mr MK a rascal, and heard Mr MK call gen T a low dirty fellow.

Mr. Michael Gratz ¹⁵ sworn, says

He was at the Coffee house when gen T came in heard somebody Mr MK wanted to see him. Gen T. went, the deponent was at a distance, presently he heard gen T—

Mr Thomas Penrose ¹⁶ affirmed, says

When he came in to the coffee house he heard a dispute between gen T. & Mr MK about a deserter. Afterwards he heard genl T. ask Mr MK if he was a gentleman. He did not hear what Mr MK said in reply.

Q. Did you hear any reflections on Congress?

A. I do not recollect to have heard anything about Congress.

Doctr. MKinzie ¹⁷ sworn, says

He knows very little, He heard gen T. call Mr MK a rascal and

Mr MK call gen T a low dirty fellow. Afterwards Gen T asked Mr MK if he was a gentleman.

Col William Bradford¹⁸ sworn, says

He was upstairs in his room when the dispute began, upon some person coming & telling him there was like to be a quarrel in the coffee room, he immediately went down. The first words he heard were, Mr MK said to gen T. I am your superior. Gen T said, You my superior, I'll let you know you are not my superior. Mr MK said to gen T you are a rascal, gen T said you are a damned rascal.

Quest. by Mr MK. Are you sure I called gen T. a rascal, pray recollect.

A. Yes, I am certain of it. He said to gen T. You are a rascal And I was astonished at it.¹⁹

The witnesses being examined brig. genl Thompson addressed Congress & said If any expressions were used by him respecting the exchange which might give offence, he hoped the situation of his Mind & the circumstances attending his captivity would be taken into consideration and allowances made and that they will not be imputed to an intention of insulting Congrss for whose honour & dignity he has the highest respect. He begs the patience and favourable attention of Congress, while he states a few facts relative to himself.

In the beginning of the year 1776 he was sent into Canada. While there Genl Sullivan being informed that a large body of troops were sent into that province judged it proper to attack them in detail, and for that purpose sent him with a body of Men to attack a party at trois Rivieres. That in Obedience to his Orders he marched & made the attack. The enemy were more numerous than was expected. He had the misfortune not to succeed and to be taken prisoner. But even his enemies acknowledged he had done his duty & behaved gallantly, that he was taken in the field with his sword in his hand. That while he was on board a prison ship in the harbour of Quebec Gen Sullivan & gen Lord Stirling were captivated on Long Island and quickly exchanged.²⁰ That though he did not mean to depreciate the merits of those generals, he hoped he should not be deemed presumptuous when he thought himself not behind them in the discharge of his duty. That though by this his feelings were wounded he quietly submitted to the pleasure of Congress.

That after this being permitted to return home on parole, he waited with patience until Congress should have it in their power to exchange him and give him an Opportunity of again entering into the service of his country.

That after this genl Lee was captivated and after a time exchanged.²¹ The reputation of that officer and the expectation Amer-

ica as well as Congress had from his Abilities induced him (brigr. T.) to submit, though he could not forbear silently to lament his hard fortune. His spirits however were bouyed up with a glimpse of hopes that he might be exchanged for govr. Franklin. That to forward this he had written to his excellency W. Livingston governor of the state of New Jersey, which he understood claimed govr. Franklin as their prisoner; that in answer he recd. a letter from Govr. Livingston informing him that from a regard for him the state of New Jersey consented to the exchange of govr. Franklin for him & for this purpose they relinquished to Congress all their claim to govr F. That having recd. this letter he hastened to Genl. Washington's head quarters hoping soon to share in the honour and danger of defending his Country. That though some obstructions were thrown in the way of this exchange by the enemy, still he was encouraged by the Comy of prisoners to hope it would take effect.

What he felt, when deprived of this last hope, it is more easy to imagine than describe. But however deep the wound or keen the sensation, his sensibility was still more deeply wounded by reflecting on the person preferred to him and the circumstances attending the capture if not surrender of the person preferred.²² He will not dwell on those circumstances nor on the character of the person. This may be invidious. They are Known. Congress doubtless had good reason. But stranger as he was to those reasons he felt the most pungent pain, that a man taken in his bed, sleeping when the enemy was at his door, who had never hazarded himself in defence of his Country, should be preferred to him who was taken in the field, in the discharge of his duty in a hazardous but unsuccessful enterprize.

Still however by the courtesy of the enemy, though deprived of what he most eagerly wished for, an opportunity of sharing in the dangers of his Country, & employing his talents, if any he has, in her defence in the hour of her distress when a savage foe was desolating her frontiers, still by the courtesy of the enemy he was indulged with the sight of his wife & children. But upon coming to Town last Wednesday and finding himself by the call of the enemy deprived of this last comfort & that instead of returning to visit his wife and children, that are very dear to him & whom he tenderly loves, he must now be dragged to a prison & possibly to end his life in a prison Ship or in a cold jail in Halifax, & when under the poignancy of his grief and distress he was as he thought tantalized with a new hope by a man to whom he owed no obligations but rather thought himself aggrieved on some former occasions, his patience deserted him and under those circumstances he is sensible he expressed himself with some asperity against that gentleman. But whatever his expressions might be or however they might strike others, he solemnly declares he

never meant to abuse or reflect upon the honourable Congress or any of its Members; And is heartily sorry that under any circumstances any expressions could be extorted from him which could be construed to give this house offence. Upon the whole he submits himself to the wisdom of this house but trusts that in deciding upon the charge against him, Congress will weigh every circumstance and acquit him of any intentional insult to Congress, from which his own heart acquits him, And appealing to Heaven For the rectitude of his heart, the purity of his intentions, his zeal for the cause of America & respect for Congress submits himself to the justice & goodness of this house.²³

MS (DNA: PCC, item 159). In the hand of Charles Thomson. MS (PHi: Society Collection). In the hand of Charles Thomson. A more cryptic version of these notes, in the hand of Henry Laurens, is in the Laurens Papers, no. 48, ScHi.

¹ See Thomas McKean's Charges against William Thompson, November 19, 1778.

² John Evans, a former member of the Delaware assembly, had been elected a delegate to Congress on November 8, 1776, but did not attend. In 1777 he had been appointed a member of the Delaware Supreme Court. *Bio. Dir. Cong.*

³ Joseph Dean, a Philadelphia merchant and member of the Pennsylvania Board of War. *Pa. Archives*, 2d ser. 3:310.

⁴ Not found, but for its ultimate disposition see the testimony of Thomas Bradford in Thomson's notes below, and Thomas McKean to the Public, December 30, 1778.

⁵ John Purviance, a former manager of the United States lottery in Pennsylvania. *JCC*, 10:151.

⁶ Thomas Bradford, a Philadelphia printer, who became a deputy commissary of prisoners in 1779. *Pa. Archives*, 7:560; *JCC*, 14:514, 516.

⁷ Apparently an instruction interjected by President Laurens.

⁸ Paul Fooks, a Philadelphia notary and translator for Congress. *JCC*, 11:562.

⁹ Thomas Forrest, former captain of Pennsylvania artillery, had been appointed major of the Fourth Continental Artillery battalion on February 5, 1777. John B. B. Trussell, Jr., *The Pennsylvania Line: Regimental Organization and Operations, 1776-1783* (Harrisburg: Pennsylvania Historical and Museum Commission, 1977), pp. 7-8, 194-96.

¹⁰ Joseph Carson, a Philadelphia merchant.

¹¹ A Philadelphia shipmaster. *Pa. Archives*, 5th ser. 1:609, 620, 626-27.

¹² Alexander Nesbitt, a Philadelphia merchant.

¹³ A Philadelphia merchant.

¹⁴ John Patton, former colonel and commander of Pennsylvania's Additional Continental Regiment. Trussell, *Pennsylvania Line*, pp. 146-48.

¹⁵ Michael Gratz, a Philadelphia merchant, supplied trade goods to the Indians under contract from Congress. *JCC*, 4:268, 5:643.

¹⁶ A Philadelphia shipbuilder.

¹⁷ Dr. Samuel McKenzie had been captured with General Thompson at Trois Rivieres in June 1776 while a surgeon in the Second Pennsylvania Battalion, but he had been exchanged and subsequently placed in charge of a continental hospital in Baltimore. See *JCC*, 6:1012, 1058, 7:70; and Heitman, *Historical Register*, p. 279.

¹⁸ Lt. Col. William Bradford, Jr., who since April 1777 had been a deputy commissary general of musters. See *JCC*, 7:252, 13:403.

¹⁹ The remainder of this entry is taken from a separate document, also in the hand of Charles Thomson, which the secretary prepared from the oral testimony General Thompson delivered following the examination of the various witnesses

summoned this day. See *JCC*, 12:1153. A clean copy of these notes, in a clerical hand and containing General Thompson's attestation that they "contain the Substance of what I said," is in *PCC*, item 159, fols. 324-30. See note 23 below.

²⁰ For further information on the exchange of John Sullivan and Lord Stirling, see these *Letters*, 5:90n.2.

²¹ Charles Lee's exchange was not as easily or as willingly effected as Thompson implies. The British held Lee for more than a year before exchanging him in April 1778. His exchange has been a subject of discussion in many documents found in volumes 6-8 of these *Letters*.

²² That is, John McKinly.

²³ At the conclusion of the clerical copy of these notes mentioned in note 19 above, the following double attestation, written and twice signed by General Thompson, appears. "Having perused the above minutes of what was spoke by me after the examination of the witnesses I do Acknowledge them to contain the Substance of what I said and do avow every Sentiment therein expressed. Wm. Thompson.

"As I am informed that the Memorial which I took the Liberty to address to Congress has given fresh offence I beg leave to declare I meant nothing more by it than to rectify as soon as Possible a mistake I made by denying the charge generally when first called before Congress. I had used expressions of reproach against the Gentleman personally, I meant to acknowledge this, But in the eagerness to repel the charge of abusing Congress, a charge which my Soul abhors of which I was Conscious I never was intentionally guilty I denied the whole charge as read to me. Immediately upon withdrawing I was Sensible of the mistake, but had not an opportunity of rectifying it as I was not then again admitted to Congress. And as I could not bear that imputation of falsehood should rest for a Moment against me, I drew up the Memorial and thought I had sufficiently explained my View to the Honble. the President when I waited on him with it. Wm. Thompson."

William Whipple to John Langdon

Dear Sir,

Philadelphia 23d Nov. 1778.

Two posts have arrived and not a single line from New Hampshire. I had many promises of a constant correspondence before I left home but these I find are forgotten, however as I am determined to clear myself of a charge of failure on my part, I think it but just to tell you that this is the last time I shall trouble you unless it is your choice to keep up the correspondence. The Marine Committee have signified their pleasure to the Navy Board that the Ranger should be fitted out under the command of Mr. Simpson.¹ For very good reasons I found it improper to press for a new commission for him at present. However [. . .] his having the command will content him. I should be very sorry to loose so good an officer as I think he will make. I have wrote him on the subject.²

I wish I could find some method to get Flour to Portsmouth as I imagine it will be much wanted could vessels be procured with you to take one quarter for the freight and take their own risk? If this could be done I don't know but I could get some ships on the public acct but none will be suffered on private acct.

The villainous Monopolizers (or as they call themselves speculators) have raised the price of Flour to 20 dollars here but measures are taken to check this villainy. I wish they may prove efficacious. Please to tell Mrs. W. I have not time to write this post nor shall I find time very often unless she can. Your neglected Friend,

Wm. Whipple.

Tr (DLC: Force Collection).

¹ See Josiah Bartlett to Langdon, October 27, 1778, note 2.

² Not found.

Cornelius Harnett to Richard Caswell

Dear Sir

Philadelphia Novr 24. 1778

The President, before any of the Members could be Supplied with the printed Treaties with France, sent them on to the Governors of the Several States; I take the liberty, (fearing some Accident may have prevented your receiving them) to Inclose one to Your Excellency. These Treaties ought to have been thrown out to the public immediately, but Congress out of their great wisdom thought Otherwise. This business was done after the return of the No. Carolina Delegates, Mr. Burke & myself stayed & sat in Congress as long as we were Authorized by the State to give a Vote. Your Excellency must also have been informed by Mr. Blount when the requisition was made for 500,000 Dollars, No Delegate of No. Carolina was or could be present with propriety.

We have however patched up this business; 400,000 Dol. have been sent on to Accomplish the first business, and 150,000 to Mr. Blount exclusive of the Other Sum, towards forwarding the Southern Expedition. The President has no doubt informed you of the Views of Congress Should *The Enemy* not think proper to make an attack on Chas. Town.¹ I am not at present at liberty to Communicate it, as the injunction of Secrecy is not yet taken off. I should imagine Your Excellency would have Influence sufficient to induce the late Levies, to March forward this winter & that as early as possible with Some Volunteers from the Militia. I am one of those Old Politicians who had much rather See my Neighbours house on fire than my Own, but at the same time would lend every Assistance in my Power to quench the flame. St. Augustine during the Continuance of this war (from Her Scituation) will constantly have it in her power, not only to distress our *poor frontier State Georgia, by land*, but to embarrass and Almost ruin the *trade* of the four Southern States by their Privateers. Genl. Lincoln whom I had not the Pleasure to See, will Communicate to you the Views of Congress, & I hope he may Inform *them*, of what may be expected from Our State, after Consulting with you.

Genl. Howe is Ordered to head Quarters. The little ridiculous matters he has been concerned in, in So. Carolina with regard to a female, has induced the Delegates of Georgia & So. Carolina to desire his recall. Congress Complied with their request but do not intend to enter into the private Amours of their Generals. I hope our friend (should the war Continue) will have an Opportunity of displaying his abilities (which Congress Acknowledge) in the field of Mars as well as of Venus.²

I have mentioned Several times to Your Excellency my desire of remaining at home. I am *too* old to be sent here. It behooves the State to send Men of much greater Abilities than myself. I am now not many years from 60. The Other States have fallen upon a method of keeping some of their Delegates here, who have served from the beginning—Viz. Massachusetts, N York, Virginia &c. But Should the States think proper to Change their Delegates they ought at least to send forward the first men, (I mean as to their Abilities) in the State. N. York has invariably pursued this Plan & have profited by it.

I would not be thought to derogate from the Gentlemen who are with me, I have experienced on every Occasion, their Good Sense, their Honesty & Integrity of heart. But by Changing Your Members often you must of Course know as I am Convinced every Man of Sense must, that it will take a *young* man of Genius, Ability & Application, three Months at least to make himself well acquainted with the business of Congress—And after he has Accomplished it, in a few months, another is Appointed, who has the same process to go through before he can be made useful to his State, let his Abilities be ever so great & uncommon. I have taken the liberty to give your Excellency my Opinion on this Great Subject with an intention never more to return in the Character my Country has been pleased to honor me with, unless I am forced into it. This letter has been written with a Violent pain in my Stomach, which I suppose a Symtom of the Gout (my Old Companion); I have neither time or Inclination to Correct either the Diction or Grammar. It is intended for yourself. If I have in my incoherent manner, thrown out any hint that may Strike you & be useful to my Country I shall be happy indeed. I send the last papers, & expect Mr. Burke or Mr. Hill every hour to relieve me. I have the Honor to be with great respect, Your Excellency, Most Obed & very hu Servt. Cornl. Harnett

RC (PPIn). This letter is incorrectly dated November 28, 1778, in *N.C. State Records*, 13:304-6; and Burnett, *Letters*, 3:511-12.

¹ Congress had approved an expedition against East Florida on November 2 on the condition that it was to be carried out if the British did not attack South Carolina or Georgia. See Harnett to Caswell, November 10, note 1; and Henry Laurens to Caswell, November 14, 1778.

² See Henry Laurens to Robert Howe, October 6, 1778.

Henry Laurens to Benjamin Lincoln

Sir. Philadelphia 24th November 1778.

I have already written to you by this conveyance under the 16th, since which I have had the honor of receiving & presenting to Congress your favors of the 7th & 9th which are committed to the Board of Treasury for consideration & Report.¹

The injuries which you received by the fall from your carriage, I had heard of in much more alarming terms than your own account, I am rejoiced to learn, you were so well recovered as to be able to prosecute your journey. I am in hopes the mild Climate of South Carolina will restore your strength.

Capt Barry having made some extraordinary demands on Congress, for allowance of a Table & a Secretary, which the House have not determined upon, is detained here. I believe Capt Barry to be a brave & active Seaman, but I am told by Gentlemen of the Marine Committee that the intended service is not pleasing to him, 'tis possible therefore he may wish to avoid it, & besides, you will find old Commanders in the two southern States who will be much mortified should he actually proceed & take the Command of them, consequences will arise which will be disagreeable to you & which may prove detrimental to the service. I have suggested these sentiments to the Marine Committee, the determination of Congress will probably be known to morrow.²

Inclosed with this be pleased to receive an Act of Congress of the 17th Inst. for subjecting the Troops raised in the State of South Carolina to the same regulations as the other forces of the United States are under except in Cases governed by contrary stipulations; for explaining a Resolve of the 16th September 1776 respecting the appointment of Officers on the general Staff & for appointing Capt Ed. Hyrne dep. adjutt. gen. & Stephen Drayton Esqr dep. Q.M. gen. in the sothern department.³

I have the honor to be with great Regard Sir Your obedient & most humble servt,
Henry Laurens, President of Congress

RC (NN: Henry W. and Albert A. Berg Collection).

¹ *JCC*, 12:1148-49. These letters, which were read in Congress on November 20, are in PCC, item 158, fols. 167-73.

² On December 2, 1778, "Congress took into consideration a report from the Marine Committee respecting Captain Barry, and after debate, Ordered, That it be re-committed." *JCC*, 12:1184. The journals contain no further reference to this matter; but see Marine Committee to John Barry, November 20, 1778.

³ This "Act of Congress" was adopted in response to an August 31, 1778, letter from Pres. Lowndes of South Carolina requesting clarification of his authority to appoint Continental officers. Citing a 1776 congressional resolution which declared "that the appointment of all officers, and filling up vacancies, (except general officers) be left to the governments of the several states," Lowndes

had protested the authority of Gen. Robert Howe, commander of the Southern Department, to appoint deputy adjutants and quartermasters in that department, believing that the resolution applied to the appointment of staff as well as regimental officers, and not just to the latter as Howe claimed. Declaring against Lowndes, however, Congress resolved that he "be informed, that the resolution of Congress of 16 September, 1776, relative to appointments, extends only to the appointment of regimental officers, and not to officers on the general staff." See *JCC*, 12:1137-38; and Henry Laurens to Rawlins Lowndes, October 5, 1778. Since this case had originated, General Lincoln had replaced Howe in the southern command. To notify Edmund Hyrne of his appointment, Laurens wrote the following brief letter to him on November 21. "I have the honor of inclosing under Cover with this, an Act of Congress of the 17th Instant for appointing you Deputy Adjutant general in the Southern Department, together with a Commission which I have issued in conformity with that Act." *PCC*, item 13, 2:186. For Drayton's appointment as deputy quartermaster, see Laurens to Stephen Drayton, November 21, 1778.

Marine Committee to the Eastern Navy Board

Gentlemen

November 24 1778

Since our last of the 19th we are favoured with yours of the 5th instant¹—we are pleased to find you have settled Colo. Langdons Account and paid him the balance. We observe you have contracted for building two of the Packet Boats we ordered which we think will be sufficient for the present as every thing is so extravagantly dear. If you have not already agreed for building a third One we desire it may not be done.

The Bill you have drawn upon us in favour of Colo. Langdon when it Appears shall be duely honored & paid.

The enclosed Resolves of the 26th August 1776 will inform you what provision Congress have made for Officers & Seamen disabled in their service. We are now forming a New system of Rules & Regulations for the Navy and would be glad you would send us any remarks that you may think will Assist in that work. Application has been lately made to us for pay and Prize Money by Mr. Hill who it appears has served with a good deal of Merit as a volunteer on board the Ship Ranger.² We think when he Acted as an officer where there was a vacancy he ought to receive the Same pay as the Officer in whose station he acted, and we request you will ascertain that matter and pay him accordingly. With regard to his prize Money we cannot order him more than a Common share, but are of opinion if he did act in a vacancy that the Officers of the class should allow him the Share of the officer whose place he filled.

We request you will forward us an exact List of all the Commissioned Officers in your department with the dates of their Commissions and how they are now employed.

We are Gentlemen, Your Hble servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

¹ The board's November 5 letter to the Marine Committee, which reports the settlement of John Langdon's accounts and the need for additional care of wounded seamen, is in the Eastern Navy Board Letterbook, NN.

² Benjamin Hill, former pilot of the sloop *Providence*, served as a volunteer midshipman on the *Ranger* in 1778. Samuel E. Morison, *John Paul Jones: A Sailor's Biography* (Boston: Little, Brown, & Co., 1959), p. 119.

Rhode Island Delegates to William Greene

Sir,

Philadelphia Novr. 24th. 1778

We now take up the pen although we have nothing that we imagin is new to communicate; because we would not subject ourselves to the imputation of neglect.

Adml. Byron's Ship and five of his fleet have arrived off Sandy-hook in a shatter'd condition. The Admls Ship hath lost her Bow-spreet, mizen-mast and main-top-mast, the others are all dismasted. We may adopt Queen Elizabeth's motto on the dissipation of the Spanish Armada on this occasion. St. Vincents is taken; and, now Count DeEstaing is left uninterruptedly to persue his operations in the W. Indias, we may soon expect to hear of the conquest of all the Windward-Islands; and perhaps of the destruction of the fleet which sailed from New York about the same time that the Count left Boston. The Hollanders are well disposed towards Us. They want a share of our commerce. We hear nothing from Spain. The important business of financing is on the carpet and We hope Congress will soon be able to take such measures for reducing the quantity of money in circulation, as will check the depretiation of it at least, if not appretiate it. Taxation & loaning are the only engines to effect this purpose.

Thus, Sir, we have thrown together every thing we can recollect of any kind of consequence, and are with great respect, Your Excellency's most obedient, humble Servants,

William Ellery

John Collins

RC (R-Ar: Letters to Governors). Written by Ellery, and signed by Ellery and Collins.

Roger Sherman to Jonathan Trumbull, Sr.

Sir

Philadelphia 24th Novr. 1778.

Enclosed are the Treaties between His Most Christian Majesty and the United States, which Congress have ordered to be sent to the Government of each State. It is not thought expedient to publish them at present in the newspapers.¹

We are informed that the Assembly of New-Jersey have at length acceded to the Confederation, and authorized their Delegates to ratify it in Congress.² The Assembly of Maryland is also now sitting—'tis hoped the two latter will agree to the Articles of Confederation before they rise.

Congress has for some days past attended to the affair of the Currency every day, & have agreed to persevere until some measures are concluded on. They have some votes on the subject, but no plan is completed. We have no material News from foreign parts—and whether the Enemy intend to evacuate N. York this Winter remains as yet uncertain.

The Committee on the late Commissary General's affairs have not reported since the recommitment.

The appointment of Jonth. Trumbull Junr. Esqr. to the Office of Comptroller of the Treasury was unanimous. His acceptance of the Trust, and speedy entry upon the execution of it, would, I apprehend, be much for the Public good.

I begin to be impatient for the arrival of some of the Delegates from Connecticut, as my affairs require my return home. I hope two will come forward immediately. I wrote to Colo. Dyer and Mr. Root on the subject some time ago, but have received no answer.³

The prices of articles are very high here—from six to eight times as high as they were in the year 1774. It is difficult for any one State to fix a Standard in trade for itself without injury to the general interest. I hope a scheme will soon be adopted for doing justice to the Public and individuals without any violation of the Public Faith.

I am with great Esteem & Regard, Your Excellency's Obedient
hble Servant, Roger Sherman

Tr (DLC: Force Collection).

¹ This curious admonition seeking to delay implementation of Congress' recent resolution to publish the Franco-American treaties of February 1778, was apparently considered as a concession to the French minister in Philadelphia, Conrad Alexandre Gérard. Although extracts of the treaties had been published in American newspapers in May, not until November 4 did Congress vote to print 300 copies of the treaties for distribution, which President Laurens began sending to the states on November 16. See *JCC*, 12:1101; and Laurens to the States, November 16, 1778. Learning of this decision, Gérard had memorialized Congress on November 20 against publication of the treaties at this time. As he explained to the French foreign minister, the comte de Vergennes, in a letter of the same date: "I thought I ought to remonstrate that, wanting the King's ratification, a Treaty that was lacking this formality could not be made public, but that I submitted my remarks to the wisdom of Congress; the publication has been postponed till further deliberation and consultation with me." Gérard almost immediately learned that copies of the treaties had already been dispatched, however, and decided that it would be vain to continue his attempt to delay their publication. "Congress has decided," he went on to explain in a postscript to his letter to Vergennes added the next day, "to publish the Alliance and I was given as a reason that the hidden intrigues of the English, and the impression they are making in several provinces

absolutely require this action. But I know that my remarks would have postponed it if, through haste and even before the final resolution of Congress, three copies had not been sent to three states as early as day before yesterday. In the circumstance, I did not think I ought to insist and to run the risk of raising doubts about the certainty of the King's ratification." Gérard, *Despatches* (Meng & Baisnée), 59:253.

² The New Jersey delegates signed the ratification of the Articles of Confederation on November 26. See *JCC*, 12:1161, 1164.

³ Not found.

William Whipple to Meshech Weare

Sir,

Philadelphia 24d ¹ Nov 1778

I need not acquaint you that the State of New Hampshire has not been represented since the commencement of this month as Col. Bartlett will inform you. He left Congress the day before I arrived, which was the 4th inst. Since my arrival New Jersey has acceded to the confederacy & it's dayly expected Maryland & Delaware will follow the example. The Confederacy then being compleat, less than two delegates will not be a representation even 'tho one should be empowered by the State for that purpose.

The Spirit of Monopolizing under the name of Speculating rages with great violence through the United States the consequence of which must prove fatal unless the interposition of the Legislatures of the several States can check its fury. The plan of finance now under consideration of Congress will have a good effect when compleated, but that as well as many other important matters are exceedingly retarded for want of a full representation. Only nine States have been represented since my arrival 'till within three days, there are now Eleven States barely represented, this tardiness in the States or their Delegates, besides retarding the most important Business makes it exceeding fatiguing to those that do attend.

I have the Honour to transmit you the Treaty of Alliance &c &c from His most Christian Majesty and the United States of America.

No intelligence has been received since Col. Bartletts departure we are still in suspense about the Enemies intentions at New York 'tho it is most generally believed they will evacuate that place.

I have The Honour to be, with every Sentiment of Esteem & Respect, Sir, Your Most Obt Humble Sert,

Wm. Whipple

RC (Nh-Ar: Weare Papers).

¹ Whipple originally wrote "22d" or "23d" and then superimposed a 4.

Samuel Holten's Diary

[November 25, 1778]

25. Wednesday. Congress spent part of this day in a Come. of the whole house, on finances.

MS (MDaAr).

Marine Committee to the Eastern Navy Board

Gentlemen

November 25th 1778

This will be delivered to you by Lt. Colo. Crenis¹ lately in the Service of the United States, he having the leave of the Congress to resign his Commission, and being desirous of embracing the earliest Opportunity of going to France, he purposes at Boston to the Marquis De Lafayette in hopes of being Accommodated with a passage on board the frigate destined for Accommodating the Marquis, but in Case Lt. Colo. Crenis should fail in that application and apply to you we desire you will give him a passage in the first vessel you may send to France. We are Gentn, Your most hble servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

¹ Martial-Jean-Antoine Crozat de Crenis, who had recently been promoted to the rank of lieutenant colonel by brevet. On November 19 Congress had also voted him a payment of \$600 for his services to the United States. JCC, 12:1109, 1143-44.

Henry Laurens to William Alexander

My Lord.

Philadelphia, 26 Novem 1778

My last was under the 24th. since which I have been honored with Your Lordship's favor of the 23d.¹ The packet which accompanied it is from Admiral Gambier, its contents, relate to Lieut. Hele & others who were shipwrecked in a vessel on the Jersey Shore said to have carried a flag in order to dispense Manifestoes.² The Admiral is of opinion these people ought not to be confined, Congress have a two-fold reason for differing with him. These people have not only called, but in every instance where it might be done as they thought with impunity, treated us as Rebels—on the other hand when it suited their Interest and purposes, they pretend to caput, for they demand from us refinements upon the practice of established Independent Nations—God be praised we are out of their reach & I am persuaded our conduct will not be censored by any Court of Europe, St. James excepted, hitherto it has stood the Test. & whenever it is brought

into a fair of light of comparison even by British historians, that of our Enemies will undergo severe strictures of Condemnation.

Your Lordship will receive with this two of this Morning's Advertisers which is all I have to offer except repeating that I am with the highest Esteem & Respect, Sir Your Lordship's Obedient & most hum
Servant,
(Signed) Henry Laurens

Tr (DLC: Miscellaneous Manuscripts).

¹ Alexander's letter to Laurens of November 23 is in the Laurens Papers, no. 18, Schi.

² See Laurens to John Beatty, November 7, 1778, note 1. Adm. James Gambier's letter to Congress, dated "Ardent, off New York 15th Novr. 1778," is in the Peter Force Collection, DLC. It is endorsed by Charles Thomson: "Letter from Adml Gambier, Novr. 15, 1778, relative to an Officer shipwrecked &c. Read 25. Referred to Mr. Witherspoon, Mr. Drayton, Mr. S. Adams. returned 28." For a November 14 letter from Gambier to the Carlisle Commissioners and a number of other documents related to this episode, including the commissioners' report to Lord George Germain on the consequences of the shipwreck of H.M. Sloop *Hotham* while attempting to "dispense" their October 3 "Manifesto" to the Americans, see Davies, *Documents of the American Revolution*, 13:384-85, 15:253-58.

Henry Laurens to George Washington

Sir

26th November [1778]

Since my last of the 20th Instant, I have had the honor of presenting to Congress Your Excellency's several Dispatches under the 13th, 16th, 16th, and 18th.¹

Inclosed with this, Your Excellency will receive four Acts of Congress as undermentioned.

1. An Act of the 23d empowering the Commander in Chief to take such Measures respecting the Officers of the Convention mentioned in Major General Heath's Letter of the 2nd Instant as he shall judge proper.²

2. An Act of the 24th authorizing the Commander in Chief to appoint a Brigadier General out of the Infantry, to Command the Cavalry.

3. An Act of the same date for arranging the Army,³ to which is subjoined a Resolution for granting a Commission in lieu of a Brevet to Lieutenant Colonel Stephens of the Artillery, as I presume Colonel Stephens is in Camp, I take the liberty of transmitting the Commission herewith, and of requesting Your Excellency to obtain the Exchange. I likewise transmit a Commission appointing Major Washington Lieutenant Colonel of Baylors Dragoons upon a presumption of this Gentleman's being returned to Camp, as I have not had the honor of seeing him, and the Commission has been filled some days past. Part of the Arrangement as it passed in Congress is a Resolve

for continuing Colonel Hazen's Regiment,⁴ this I perceive the Secretary has sent me in a detached piece, but as I do not know where to address Colonel Hazen I shall convey it through your Excellency's means in order to give information and gain time.

I have the honor to be &c.

LB (DNA: PCC, item 13).

¹ See JCC, 12:1149-50, 1153, 1161. These letters are in Washington, *Writings* (Fitzpatrick), 13:221n.33, 253, 261-64, and PCC, item 152, 6:485-88, 503-10, 515-18.

² On this subject Laurens wrote the following letter to Washington the next day. "When I was writing to Your Excellency yesterday Morning I had some doubts whether General Heath's Letter of the 2nd November referred to in the first article had been an original to Congress or a Copy derived through Your Excellency's hands, this was at too early an hour for obtaining information from the Secretary's Office where the Paper was lodged and the tenor of the Resolve contributed to deceive me, when I attended Congress I found it to be as I had suspected, therefore to prevent unnecessary delay I now transmit Copy of that Letter together with Copies of two from Major de Passern which General Heath refers to." PCC, item 13, 2:189-90.

³ JCC, 12:1158-59. This "Act" is based upon a Committee of Arrangement report that was originally submitted to Congress on October 9, parts of which were recommitted on the 12th. Most of the committee's recommendations were adopted on November 24, although a proposal for appointing brigadier generals was postponed. Only a transcript of the report is in PCC, item 21, fols. 161-76, but the original document, in the hand of Joseph Reed and signed by him as "Chairman," is in RG 93, Manuscript File no. 29629, DNA. It is endorsed by Henry Laurens: "Report—Committee of Arrangement, part Recommitted 12 Octob. 1778, Returned by Mr. Sherman 13th"; and by Charles Thomson: "Passed Nov. 24, 1778, except the appointing 4 brigs. postponed."

⁴ Col. Moses Hazen's September 20, 1778, petition to Congress requesting that his regiment be continued on the Continental establishment, is in the Peter Force Collection, DLC. It is endorsed by John Banister: "For General Reed's attention."

Samuel Holten's Diary

[November 27-28, 1778]

27. Friday. Congress Spent part of the day on finances, no news material.

28. Saturday I wrote a letter to the Council of Massa. Bay¹ Signifying my acceptance to a seat in Congress for the year 1779, in Answer to their request.

MS (MDaAr).

¹ Not found.

IN CONGRESS.

NOVEMBER 24, 1778.

CONGRESS took into consideration the Report of the Committee of Arrangement, and thereupon came to the following resolutions.

WHEREAS the settlement of rank in the army of the United States has been attended with much difficulty and delay, inasmuch as no general principles have been adopted and uniformly pursued; RESOLVED, THEREFORE, That upon any dispute of rank the following rules shall hereafter be observed:

1. For determining rank in the continental line between all Colonels and inferior officers of different States, between like officers of infantry and those of horse and artillery, appointed under the authority of Congress by virtue of a resolve of the 16th of September, 1776, or by virtue of any subsequent resolution prior to the first of January, 1777, all such officers shall be deemed to have their commissions dated on the day last mentioned, and their relative rank, with respect to each other in the continental line of the army, shall be determined by their rank prior to the 16th day of September, 1776. This rule shall not be considered to affect the rank of the line within any State, or within the corps of artillery, horse, or among the sixteen additional battalions, where the rank hath been settled; but shall be the rule to determine the relative rank within the particular line of artillery, so far as the rank remains unsettled.

2. In the second instance, preference shall be given to commissions in the new levies and flying camp.

3. In determining rank between continental officers, in other respects equal, proper respect shall be had to their commissions in the militia, where they have served in the continental army for the space of one month.

4. All Colonels and inferior officers, appointed to vacancies since the 5th day of January, 1777, shall take rank from the right of succession to such vacancies.

5. In all cases where the rank between the officers of different States is equal, or between an officer of State troops and one of cavalry, artillery, or of the additional battalions, the precedence is to be determined by lot.

6. All officers who have been prisoners with the enemy, being appointed by their State, and again enter into the service, shall do it agreeably to the above rule; that is to say, all of the rank of Captains, and under, shall enter into the same regiment to which they formerly belonged, and if such regiment is dissolved or otherwise reduced, they shall be intitled to the first vacancy in any regiment of the State in their proper rank, after the officers belonging to such regiment have been provided for.

7. The rules of rank above laid down between officers of different States, are to govern between officers of the same State, except in cases where the State may have laid down a different rule, or already settled their rank.

8. A resignation shall exclude any claim of benefit from former rank under a new appointment.

Whereas, from the creation of the establishment and other causes, many valuable officers have been and may be omitted in the new arrangement, as being supernumerary, who, from their conduct and services, are intitled to the honourable notice of Congress, and to a suitable provision, until they can return to civil life with advantage.

RESOLVED, THEREFORE, That Congress gratefully acknowledge the faithful services of such officers, and that all supernumerary officers be intitled to one year's pay of their commissions respectively, to be computed from the time such officers had leave of absence from the Commander in Chief on this account. And Congress do earnestly recommend to the several States to which such officers belong, to make such farther provision for them as their respective circumstances and merits intitle them to.

Whereas it will be for the benefit of the service, that some rule for promotions be established:

THEREFORE, RESOLVED, That it be recommended to the several States, to provide that in all future promotions officers rise regimentally to the rank of Captain, and thence in the line of the State to the rank of Colonel, except in cases where a preference may be given on account of distinguished merit.

RESOLVED, That all officers who have been in the service, and, having been prisoners with the enemy, now are or hereafter may be exchanged, or otherwise released, shall, if appointed by the authority of the State, be intitled, in case of vacancy, to enter into the service of their respective State, in such rank as they would have had if they had never been captured; provided always that every such officer do, within one month after his exchange or release, signify, to the authority of the State to which he belongs, his release, and his desire to enter again into the military service.

RESOLVED, That every officer so released, and giving notice as aforesaid, shall, until entry into actual service, be allowed half pay of the commission, to which, by the foregoing resolve, he stands intitled; provided always, that in case of his receiving any civil office of profit, such half pay shall thenceforth cease.

RESOLVED, That no brevets be for the future granted, except to officers in the line, or in case of very eminent services.

RESOLVED, That Pay-Masters, not being of the rank of Captains, Quarter-Masters and Adjutants, be intitled to receive *Twenty Dollars* per month, subsistence money, in lieu of rations.

RESOLVED, That all officers and persons employed on the Staff shall receive, for subsistence money, *One-Third of a Dollar* for each extra ration heretofore allowed them.

RESOLVED, That Adjutants, Pay-Masters and Quarter-Masters, taken from the line, be again admitted into the rank they would have been intitled to, had they continued in the line. And such Adjutants, Pay-Masters and Quarter-Masters, not taken from the line, may be admissible into the line in such subaltern ranks, as, by a signed certificate from the field officers of their respective corps, they shall be deemed competent to.

Extract from the Minutes,

CHARLES THOMSON, Secretary.

Resolves on "Arrangement" of the Army,
November 24, 1778

Elbridge Gerry to Jeremiah Powell

Sir,

Philadelphia Novr 28th 1778

The Resolutions of the General Assembly relative to the Appointment of the Delegates of the State for the ensuing Year, having been duly transmitted by the Deputy Secretary, I am to request the Favour of your communicating to the honorable Assembly my grateful Acknowledgements on this Occasion, & to assure them, that I shall at all Times carefully endeavour to merit the Confidence with which they have been pleased to honor me. I propose to return to Massachusetts as soon as Congress, who are very attentive to the publick Finances, shall have adopted Measures for placing them on a better Footing, & am inclined to think, from the Circumstances of my Health & private Concerns, that I shall be under the Necessity of continuing there many Months; the Assembly will therefore be pleased to judge of the Expediency of supplying my Place by a new Appointment.¹

I have the Pleasure sir of informing You that there is a happy Prospect of seeing the Confederacy speedily ratified; New Jersey has lately confirmed it, & there is Reason to expect that Delaware & Maryland will soon follow the Example & compleat it. This I humbly conceive to be the finishing Stroke of our Independance; but the Liberties of the People depending on their Virtue, can only be secured by the Preservation & Improvement of their Morals. I have the Honor to remain sir with the greatest Respect for Yourself & the General Assembly, your most obedit & very humble servant,

E. Gerry

RC (MH-H: bms Am 1582). Addressed: "Hona. Jeremiah Powell Esqr. president of the Council of M Bay."

¹ Except for brief absences, Gerry continued to serve as a delegate in Philadelphia until June 1780.

Henry Laurens to William Alexander

My Lord,

Philadelphia 28th Novr. 1778.

I beg leave to refer Your Lordship to my last of the 26th by Dunn.

We had an account in the beginning of this Week from St. Eustatia importing a second engagement between the French & English Fleets in the Channel, in which the former were victorious, & had taken & destroyed six British Line of Battle. Yesterday a Letter from Virginia informed us of the arrival of three Vessels from Bourdeaux in seven Weeks, the Masters of which report the same thing with this variation, "that the French had taken three of the Enemy's Ships." The

Channel is deep enough to receive the other three, & I am no longer in doubt that there has been a second engagement—particulars we shall learn by & by. Had the Palm been given to Britain we should have heard of it in high terms from Mr. Rivington, but I remark the News writers in the Garrison are extremely costive in European Intelligence—we cannot believe that they are ignorant of so important an event as this in question at the period of two Calendar Months.

Your Lordship will receive herewith two of Dunlaps Advertisers & will do me the honor to believe that I am with very great Esteem & Respect, Sir, Your Lordship's Obedient & Most Humble servt.

Henry Laurens.

RC (IMunS).

Henry Laurens to George Washington

Sir,

28th November [1778]

After writing to Your Excellency Yesterday Morning, I had the honor of presenting to Congress Your Excellency's Letters of the 20th and 21st.¹ The latter was sent to the Board of War where the Papers respecting the Inspectorship are said to be lying. The former produced an Act for disbanding Bedel's Regiment, which with an Act of the same date the 27th for allowing additional Pay to the Officers of Warners, and other Officers in like circumstances, will be transmitted within the present Cover,² and also Copy of a Letter from Colonel Hartley to Congress dated Sunbury the 20th November 1778.

I have the honor to be &c.

LB (DNA: PCC, item 13).

¹ JCC, 12:1165–66. These letters are in Washington, *Writings* (Fitzpatrick), 13:287–88, 305–7, and PCC, item 152, 6:523–33.

² For these "Acts," see JCC, 12:1165–67.

Massachusetts Delegates to Jeremiah Powell

Sir,

Philadelphia Novr 28th 1778

We have the Honor of acknowledging the Receipt of your Favour of the 5th Instant, mentioning the Sum which the General Assembly have been pleased to grant to each of their Delegates, as Part of their allowance for their Services & Expences at Congress the ensuing Year, & desiring Us "to notify You seasonably whether We accept the Trust, or not;" in Answer to which We beg Leave to refer You to our several Letters herewith transmitted.¹

All the Information that We can give relative to the Disposition of the Flower referred to in your Letter, is principally contained in the inclosed Account received from Mr. Pelatiah Webster of this Place, who payed a Ballance of £467.2.6 Pennsylvania Currency to Mr. Gerry who will account for the same. In Addition to this, Mr. Webster on the 12th Decr 1776 payed fifteen hundred Dollars, being Part of the net Proceeds of the Snow Champion's Cargo of Flower, to Messieurs S. Adams & Gerry, who together with the hona. Mr. Hancock are chargeable for this Sum, having received five hundred Dollars each. Mr. Webster informed Us in July last, that the Residue of the Champion's Cargo was in the Hands of Major Henry Fisher of Lewis Town in the State of Delaware, in Consequence whereof We wrote him a Letter agreeable to the Copy inclosed,² but have not yet received his Answer. As the Remittances from the State, & Advances to Mr. William Barrel of this place, deceased, for purchasing the Flower, were negotiated solely by Mr. Hancock, We beg Leave to refer the hona Board to him for further Information relative to the quantity of Flower & Iron purchased for the State, what was taken or lost, & what remains to be accounted for, as well as for a final Adjustment of the Accounts, being with the greatest Respect for the honorable Board & Yourself, sir your most obdrt & very humble serts.

Sam Adams

E Gerry

James Lovell

P.S. Mr. Webster also in Sept. 1777 paid two hundred Dollars to Mr. Lovell, and acknowledges about ninety Pounds to be now in his Hands as Ballance due to the State.

RC (MH-H: bms Am 1582). Written by Gerry, and signed by Gerry, Adams, and Lovell; with postscript by Lovell. Addressed: "Hone. Jeremiah Powell Esqr. President of the Council of Mass. Bay."

¹ See Gerry to Jeremiah Powell, this date—the only one of "our several Letters" that has been found.

² See Massachusetts Delegates to Henry Fisher, July 29, 1778.

Daniel Roberdeau to George Bryan

Sir,

Philad'a, Novr 28th, 1778.

Permit me the liberty to refer to the enclosed letter from Mrs. Ferguson to me, and to assure the Hon'ble the Council, through you, that in the most free and intimate Conversation with that Lady I never could discover the least tincture of disaffection to our America, but on the contrary, she has repeatedly declared an *inviolable* attachment to her interest.

If the Hon'ble Council should favor the Ladys request I dare vouch for her Integrity, and that her plighted promise will be sacredly regarded.¹ I am, with most respectfull Regard to Council, their and your Most obt & very huml Servt,
Daniel Roberdeau.

MS not found; reprinted from *Pa. Archives*, 1st ser. 7:100.

¹ For the Pennsylvania Council's rejection this day of Mrs. Elizabeth Ferguson's request "for permission to go into the City of New York to take leave of her husband & to return," see *Pa. Council Minutes*, 11:629. Roberdeau's previous efforts on behalf of Mrs. Ferguson, whose loyalist husband Henry had been proscribed by Pennsylvania for his cooperation with the enemy during the British occupation of Philadelphia, are discussed in these *Letters*, 8:473.

Henry Laurens to William Alexander

My Lord

29th November [1778]

Inclosed with this Your Lordship will find a Letter which I have written by Order of Congress to Rear Admiral Gambier, and which I request you to send in to New York by a Flag without delay.¹ It may be necessary to intimate that this is in Answer to the Letter from the Admiral which Your Lordship transmitted to me a few days since, and in which there is an implied menace of retaliation for the confinement of Lieut. Hele and others, who with a Cargo of Manifestoes under sanction of a Flag of truce, were lately shipwreck'd on the Coast of New Jersey. The subject in dispute will not warrant the Act and the means we are possessed of for retorting tenfold will probably shew the Admiral that his threats are altogether futile, and therefore I am under no great apprehension of a seizure on your Lordships' Messengers, at the same time the hint is not useless.

I have the honor to be &c.

LB (DNA: PCC, item 13).

¹ *JCC*, 12:1168-69. See also Laurens to John Beatty, November 7, 1778, note 1.

Henry Laurens to William Alexander

My Lord.

(Private)

Philadelphia 29th November, 1778.

I had the honor of writing to Your Lordship yesterday; Will you permit me now to ask a very great favor of Your Lordship, design'd more for the public benefit than for my private convenience or amusement, that Your Lordship will endeavor to procure for me as early as may be, one or two Copies of Vattel's Law of Nations. I would rather have two than one; when I learn the cost of it or them, the amount in Gold or Silver shall be immediately remitted.

Inclosed herein Your Lordship will find a Copy of Admiral Gam-

bier's Letter & my answer, spoken of in my Official Letter of this date, 'tis highly probable both will soon be published, at present these Copies are intended for Your Lordship's private information & no further.

I intreat you Sir to pardon the liberty I have taken on the present occasion & believe me to be with very great respect & Esteem, Your Lordship's Obliged & obedient humble servant,

Henry Laurens

RC (NNPM).

William Whipple to Joseph Whipple

My Dear Bror.

Philadelphia 29th Novr 1778

I was in great hopes I shod have heard from you & some other of my Friends, before this, but every snip I have receiv'd from N. Hampshire since my arrival here, is a very short letter from Mrs. W. & a line from Mr. Langdon telling me he was in so great a hurry he could not add. Since the receipt of those, two posts have arriv'd by which no body have thot it worth their while to write me a line. However I flatter my self I sh[ould] hear often from you when your retirement to winter Quarters will afford you opportunities of writing. I have the pleasure to hear by Mr. Frost (who arriv'd three days ago) that you were well abot the 7th inst. He also tells me you talk'd of writing by him, this circumstance leads me to hope to morrows post will bring me a letter from you.

I wish I had any thing new to give you but as our intelligence comes chiefly from the Eastward you have it first. However I inclose you the latest News paper which will give you Ocular demonstration of their Barrenness. You will also find inclos'd The Treaties of Alliance &c between France & the United States. I dare say you will agree with me in opinion that these Treaties are concluded on terms much more favorable to America than we have any reason to expect, considering our circumstances. I wish to know the sentiments of People respecting them especially of those who have been esteem'd Enimies to the Revolution. The post goes out the day after tomorrow; if any thing new shod arrive before that time I shall give it you. As I have but few minutes to spare from public business I am obliged to improve such intervals as I can ketch to write to my Friends. Your Most affecte Bror.

W.W.

Novr. 30th 11 at night. No post yet ariv'd. I suppose the weather has detain'd him.

RC (MH-H: Sturgis Papers).

William Henry Drayton to Henry Laurens

Dr Sir.

Monday [November 30, 1778]

I am entirely of opinion that there is not only much more villany in the transaction of our public affairs than we can fathom but more than we have any idea of. This Spanish Cargo discovers new wheels which have been running to private advantage under the guidance of public Agents. What can be done!

I am glad De Francy is so sensible of the merit of your offer.¹ You will Pardon me when I tell you, that when you made it, I felt what your Son would have felt, had he heard you make it. It was an action worthy of you, greatly advantageous to the Public, & honourable to your Constituents. You took the lead in a Patriotic conduct—but there are none who are able or have the virtue to follow it. I can only admire & applaud; Being with great respect, Dr. Sir, Your most affectionate, humble Sevt.

Wm H Drayton.

RC (ScHi: Laurens Papers, no. 22). Endorsed by Henry Laurens: "Mr. Drayton on Beaumarchais' affair &c, 30 Novr 1778, which clearly shews that Mr. Drayton had not been tempted, until after my resignation of the Presidency—the 9 December."

¹ Théveneau de Francy, Caron de Beaumarchais' business agent, was in Philadelphia seeking remittances from Congress to help pay for the military supplies his employer had shipped to America. Although Francy had written to Congress on November 28 asking for the consignment of two or three thousand hogsheads of tobacco for this purpose, his letter made no mention of the mysterious "Spanish Cargo" referred to by Drayton, who was a member of the committee to which Francy's letter had been referred on the 28th. See *JCC*, 12:1168; and *PCC*, item 78, 9:209-11. It is not known what "offer" Laurens made to Francy.

William Whipple to Josiah Bartlett

Dear Sir

Philadelphia 30th Nov 1778

I have not receiv'd a line from New Hampshire since my arrival here. Mr. Frost who arrived the 25th inst. Bro't with him an act empowering one Delegate to represent the State. Had it been sent some time before the State would not have been so long unrepresented and his coming render'd the Act less necessary.¹ I wish to be informed what number of the journals of Congress have been sent to the state & whether any indexes have been sent to the first Volume.

The Treaties of Alliance &c with France are printed. I sent one Book to the President last week, & shall send one to you by the first convenient opportunity.²

Nothing material has happen'd since your departure. The business of finance goes on very slowly; however some of the principle Questions have pass'd the Committee of the whole which leads me to hope we shall make a considerable progress in this important business in a

few days. A report prevails that there was an action between the French fleet & Admiral Kepel the 3 & 4 Octor and that the former had greatly the advantage. This account comes different ways but still I think it wants conformation.

Col Allen is here; he tells me the Green Mountain assembly have renounced the 16 towns and wrote to New Hampshire on the subject. Young Wealock is also here but I have not seen him—he seems to avoid me.³ I shall write fully on this subject shortly.⁴

Pray let me hear from you as often as possible. If I am to judge of the future by past proceedings I must expect no intelligence but through the chanel of private correspondents. I am, with great sincerity
Yours,
Wm Whipple

RC (DLC: J. P. Morgan Signers Collection).

¹ See Josiah Bartlett to Meshech Weare, October 6, 1778, note 1.

² Whipple also sent one this day with the following brief letter he wrote to John Langdon. "Having none of your favors to answer nor no news to give you I must content yourself with inclosing you a copy of the Treaties between His Most Christian Majesty and the United States of America. I hope when this becomes public the mouths of those wretches will be stoped who have endeavored to propagate opinions prejudicial to America." Langdon Papers, PHi.

³ John Wheelock (1754–1817), lieutenant colonel of Timothy Bedel's regiment of militia and son of Dartmouth College president Eleazar Wheelock, was in Philadelphia to deliver a memorial seeking to maintain Bedel's regiment on Continental pay, as well as a memorial from his father for the support of his Indian charity school, and a letter from Joseph Marsh, chairman of a group at "Windsor on the New Hampshire Grants" seeking to prevent the recognition of any "new State containing only that part of the Grants which lie west of Connecticut River." See *JCC*, 12:1166, 1174; *PCC*, item 40, 1:167–69; Washington, *Writings* (Fitzpatrick), 13:287–88.

⁴ See Whipple to Bartlett, December 14, 1778. Whipple also discussed Ethan Allen, the proceedings of the Green Mountain settlers, and the memorial of Joseph Marsh and the Windsor separatists which John Wheelock presented to Congress, in his December 8 and 14 letters to Meshech Weare. Whipple's suggestion that Wheelock was deliberately avoiding him, which he repeated in his December 8 letter to Weare, probably reflects the fact that Wheelock was one of the earliest advocates of uniting the western New Hampshire towns with Vermont.

Samuel Adams to Jeremiah Powell

Sir,

Philadelphia Decr 1. 1778

I did myself the Honor a few Days ago, of joyning with my Colleagues in an Answer to your Letter to us of the fifth of November last, so far as it related to the Distribution of a Quantity of Flour purchasd on Account of the State of Massachusetts Bay. I beg Leave to refer you to our Letter,¹ which will be forwarded by this opportunity. The five hundred Dollars therein mentiond as receivd by me,

were carried to the Credit of the State in my Account settled the last Winter. Since my Arrival here in July, I have availed my self of the Practice of the Delegates of every State, by applying to Congress for a Warrant on their Treasury for a Sum of Money to pay the extravagant, though necessary Expence of living. I purpose to repeat this Application, as there may be occasion for it, until I shall be directed differently or to the Contrary; and shall credit the Sums so receivd in my next Account.

I am informd that the General Assembly have been pleasd to appoint me one of their Delegates in Congress for the year 1779.² This repeated Mark of Confidence in me is indeed flattering. The Duties of the Department are arduous and pressing. I will never decline the Service of our Country; but my Health requires Relaxation, and at this Period of my Life my Inclination would lead me to wish to be employd in a more limited Sphere. I will nevertheless continue to act in Congress to the utmost of my Ability in Pursuance of the Powers and Instructions with which I am honor'd, in hopes, that as the Month of April will complete another full year of my Residence here, I shall then be reliev'd by one of my absent Colleagues or some other Gentleman, and permitted to return to my Family.

I am with every Sentiment of Duty & Regard to the General Assembly, Sir, Your Honors most obedient & very humble servant.

Sam Adams

FC (NN: Adams Papers). In the hand of Samuel Adams.

¹ See Massachusetts Delegates to Jeremiah Powell, November 28, 1778.

² Samuel Adams was one of seven delegates elected to Congress by the Massachusetts General Court on October 8, 1778. Massachusetts Council Records, September session, pp. 71-72, DLC(ESR). For the submission of their credentials of October 15 to Congress, see *JCC*, 13:17-18.

William Duer to Gerardus Bancker

Sir,

Phila. Decr. 1st. 1778.

You will receive herewith Mr Abraham Br. Bancker's Receipt for ninety four thousand Dollars being Part of the One hundred Thousand Dollars granted by Congress for the Service of the State of New York.¹ The Six thousand Dollars deficient have been disbursed in the following Manner, Vizt.

To Govr. Morris in the Month of June on Acct. of his Allowance as delegate, Per Receipt	2000
To William Duer do—— do ——	3366 $\frac{2}{3}$
To Adam Foulk for an Atlas containing a Number of American Charts for the Use of the State of New York, per Rect.	100

To Francis Lewis being for so much paid
by him to Robt. Morris Esqr. on Acct. of
John Holt Printer to the State of New
York on Assumption of the Honble. Lewis
Morris one of the Delegates of said State

533 $\frac{1}{3}$
6000 Drs.

The Receipts for these Payments I shall produce when I have Pleasure
of seeing you.

I think it necessary to observe that the Sum which I had in my
hands on Acct. of a Balance due from the Committee of Convention
in Westchester County—Say about £1000 has been Expended in the
following Manner.

To James Duane Esqr. per Receipt of the 31st July 1777	1302 Drs.
To Phil. Livingston Esqr per do do	976
To Captain Cook on Acct.	70
	<hr/> 2348

2348 Drs. equal to York Money £948.

My Reason for Mentioning this is to shew the Necessity I have
been under of drawing out of the One hundred thousand Drs. the
Sum mentiond on the other Side—and though this would appear
clear on my producing Receipts, I do not choose there should be a
Surmise for a moment in these Times of Jealousy, that I have drawn
any Sum from the Public Stock but what was due, and absolutely
necessary for my Maintinance.

I am, sir, with great Respect, Your Obed. Hble. servt.

Wm. Duer

RC (NHi: Duer Papers). Addressed: "To Gerardus Bancker Esqr. Treasurer of the
State of New York."

¹ For the delivery of this to New York by Abraham B. Bancker, deputy secretary
of the New York assembly, see Clinton, *Papers* (Hastings), 4:294-95, 356.

Oliver Ellsworth to Samuel Lyman

Dear sir,

Philada. Dec. 1t. 1778.

So long as I have the honor to represent you in Congress, you need
no other apology for sending me as many Letters & as much news as
you please, &, in returns, demanding of me any Information it may
be in my power to give & I may be at Liberty to communicate.

For the present, I have only to say, in general, that American Af-
fairs at this time put on a very good face [in] Europe & the West
Indies; & afford ground to hope that the States of Holland, Spain &
Great Britain will all announce her Independence before Spring.

Our greatest Danger at present is from the wretched State of the Currency. This, Congress are paying all possible attention to, & had it not been a most embarrassed as well as important subject, would before now have compleated their resolutions upon. Whatever other measures it may be necessary to adopt, a heavy Tax must be submitted to at all events & funds established for payment [of] Interest & to sink, in a reasonable time, the capital Debt; which tho' large indeed is by no means beyond our ability to discharge. The avails of one good horse or yoke of fat oxen would now, I believe, pay a midling Connecticut Farmer's proportion of it. A very cheap purchase for the prize we have been contending for; & which, it seems to be the disign of Heaven we shall soon have the full & peacable possession of.

It was very kind in you to inform me of the welfare of my friends at Windsor & particularly of Mrs. Ellsworth & my little daughter, with an anecdote upon the latter, which, however trifling in its own nature, you rightly judged would appear ot[herwise] to a parent; and I sincerely wish you in due time all the pleasures without the pains I have known under this Relation.

For the news of the day I refer you to the enclosed paper & am, with much esteem, Dear sir, your most obedt. & most hbl Servt.

Oliver Ellsworth

P.S. The paper is mislayd.

RC (PHI: Jenkins Collection.) Addressed: "Samuel Lyman Esquire, Litchfield, Connecticut."

Gouverneur Morris to George Clinton

Sir, Phila. 1st Dec'r 1778.

The Legislature of our State having at Length complied with my ardent wishes in sending for the money which was long since obtained, and which I did hope, would have reached their Treasury many months ago, I cannot omit the first Opportunity of testifying to you my Joy on that Occasion. Money matters are, of all others, those which I wish to have least concern in. Many Reasons may be assigned for this, which your Delicacy will catch at a Glance. But among that many, there is not one which did not give me Solicitude while so considerable a Deposit remained with us. I say, with us, for altho I did not personally touch or take Charge of it, yet in the minds of my Constituents I was doubtless considered as one of those who was accountable for any accidents which might happen.

My time being continually occupied, even to a minute, insomuch that I am under a necessity of borrowing large Portions from my

Slumbers, I have not seen the act you allude to in your Letter. I am told however that an advance is made to each of the Delegates of 1000 Dollars. I am also told that in Consideration of the Expences which must necessarily have accrued by living in this Town, the Legislature have directed the additional Sum of three Dollars pr Day, to be paid since our arrival in this City.¹ I pray you, Sir, on the first convenient Opportunity to make the proper Returns on my Part for this equitable Provision. Since I am on the Subject of money, which I think will not be an object in many of my Letters, I am to observe that considering the high Trust with which I am honored by my Constituents, I determined to support the Character to the Extent of what would be afforded from my private Fortune. Whether the State would make Retribution rested indeed with their Generosity, but this was by no means a bad Foundation. At any Rate I knew the worst and after certain Expenditures, I should inevitably have quitted a station the Dignity of which I could not longer support. My expences have been by no means small.

Before I left New York, an advance was made to me, but how much I cannot at present ascertain, for as the Receipt &ca., were of Record, I took no memorandum. In order that my account may be adjusted, I am to request, that I be considered in the Public Service as from the 25th of Dec'r 1778,² True it is I left the State much earlier, but I staid a considerable Time among my Friends in New Jersey, wherefore, counting the Days I was really on my Journey, back from the Time I Came to Congress, will bring it to that Period. In addition to what I received there, I have had of Mr. Duer 2000 Dollars, which he will I suppose charge in his accounts. I shall also receive now the 1000 Dollars before mentioned in advance. The auditor will find no Difficulty from these Data to make out a proper account which I hope may be done.

I must again intreat that your Excellency will urge to the Legislature the Necessity of adjusting the public accounts so that Congress may finally settle the Ballance. I have the Pleasure to say that after many earnest Efforts the Treasury Board is at Length organized and I hope to see my Labors on this Occasion productive of some good Consequences to my Country. Hoping this greatest Reward I have the Honor to be your Excellency's most obedient & humble Servant
Gouv. Morris.

Reprinted from Clinton, *Papers* (Hastings), 4:323-25.

¹ In his November 8 letter to Morris, Governor Clinton had alluded to a November 4 act of the New York legislature that added three dollars to the daily allotment of seven dollars for delegates in Congress. Clinton, *Papers* (Hastings), 4:255-56; *Laws of the State of New York Passed 1777-1784* (Albany: Weed, Parsons and Co., 1886), p. 96.

² Morris certainly meant to write 1777. He first attended Congress on January 20, 1778. *JCC*, 10:65.

New York Delegates to George Clinton

Sir, Philadelphia, 1st Decemb'r 1778.

We are now to acknowledge the Honour of your Excellency's Dispatches of the 18th and 21st Ult.¹ by Messrs. Bancker and Wynkoop for whose return we made the necessary Preparations without delay. This day will be spent in counting and paying the money, a Trouble which will fall on Mr. Duer who has charged himself hitherto with the Care of it.

We had the good Luck to recover the Copies of the Constitution of our State which were printed, and on our retiring to York Town, left in this City. They are forwarded by this Conveyance: part of the Expence of the Press was defray'd by Mr. Duer; & the remainder by Mr. Lewis which with the advance of 1000 Dollars for each of the present Delegates will be deducted out of the money granted by Congress.

It gives us particular Pleasure that we are at Liberty to transmit to your Excellency several Copies of the Treaties of Amity and Commerce between his most Christian Majesty and the United States. Your Excellency will see how totally groundless have been the suspicions propagated by our Enemies respecting these Treaties. They will appear to be founded on perfect Equality, and in every Respect liberal and reciprocally beneficial. It is the Direction of Congress that no Impression of them be made untill their further order.

We have not yet the Pleasure of Mr. Jay's Company.² Mr. Ethan Allen has lately presented a Paper to Congress, as an act of what they call the Assembly of the State of Vermont. It is calculated to shew that the New Hampshire Towns on the East side of Connecticut River which Joind in the Revolt had retracted and seperated from the Towns on the west side. The Design of this flimsy artifice is obvious: but it was a little unreasonable for the Projectors that only two days after the Production of this Paper, Lieut. Col. Wheelock presented a Remonstrance from the Revolted Towns on the East side of the River, complaining that Allen had no authority to make the before mentioned Declaration; that they utterly renounced it and adherd to their Revolt from New Hampshire.³ This Incident renders ridiculous the Plan which Allen and his adherents boasted of as decisive. When Mr. Jay arrives we hope this important Subject will be taken up, notwithstanding Congress is pressed by a variety of Objects which call for attention and Dispatch.

While we lament the reiterated sufferings of our Fellow Citizens from the Depredations of the savages and disaffected, we agree with your Excellency that every defensive system in a predatory war must prove vain and Chimerical and that a vigorous Irruption into the Enemy's Country can alone promise advantage and Safety. To this

great object we shall extend our Views and endeavour to have it carried into Effect as soon as the Season will permit. In the mean time, if the whole of the New York Brigade which is ordered to march for the Defence of our Frontiers is not thought a sufficient Force, be pleased to inform us, and it shall be our Care to obtain the aid you may require and to promote any measures which may be recommended for the immediate Protection and future Security of the State we represent.

We have the Honour to be, with the utmost respect, Sir, Your Excellency's most Obedient humble Servants, Jas. Duane,

Fra' Lewis,

Gouv'r Morris.

Reprinted from Clinton, *Papers* (Hastings), 4:321-23, FC (NHi). In the hand of James Duane.

¹ For Governor Clinton's request to forward the \$100,000 advanced by Congress to New York and his descriptions of recent depredations in Cherry Valley, see Clinton, *Papers* (Hastings), 4:294-97, 304.

² John Jay had been appointed a special delegate to Congress by the New York legislature to resolve the Vermont issue. *JCC*, 12:1196-97; and Jay, *Papers* (Morris), 1:510-11.

³ For further information on the action of Col. Ethan Allen and John Wheelock in Philadelphia, see William Whipple to Josiah Bartlett, November 30, and to Meshech Weare, December 8, 1778; and Clinton, *Papers* (Hastings), 4:394-98.

Samuel Adams to John Temple

Dear Sir

Wednesday Mornng. [December 2? 1778]¹

However much inclin'd I am to gratify your Requests generally, it would be improper for me to do it in the Instance you mention.²

I have not thought myself at Liberty to gratify any of my Friends with the Loan of the Treaty. You will therefore excuse me. Yours,

S. Adams

FC (NN: Adams Papers). In the hand of Samuel Adams and endorsed by him: "Answer to the Within." Addressed: "J Temple Esq."

¹ Adams' note, dated only "Wednesday Mornng," could have been written on any of the three Wednesday's that John Temple was in Philadelphia, i.e., December 2, 9, or 16. Adams drafted his note on the verso of Temple's letter, which is also dated only "Wednesday Mornng."

² Temple had written: "I shall be much Obliged to you for the treaty with France lately published, for a few hours, Lord Stirling put it into my hands at Eliza Town, but I had not time to read it. If I ask an improper favor I hope you will Excuse it, & not send the treaty." Samuel Adams Papers, NN.

James Duane to George Clinton

Sir, Philad. 2d Decem'r 1778.

I deliver'd Congress the Depositions your Excellency charged me with, respecting the Breach of the Convention of Saraghtoga by that part of Genl. Burgoine's army which was permitted to return into Canada. It is the desire of Congress that this perfidious procedure may be exposed in the fullest Light, and they, therefore, request that your Excellency will endeavour to procure further Evidence, and, if possible, one of General Carlton's proclamations or orders requiring those Troops to join their respective Corpses.¹

One thousand Dollars in Specie are now delivered to Mr. Bancker for the purpose of making the necessary discoveries, to be employd in such manner as your Excellency shall be pleased to direct; when it is expended you will be pleased to remit the account to the Treasury board that you may be properly discharged. I did not think it necessary to send the Cont. money directed to be paid into your Hands, for the above purpose. It therefore, waits your disposal in the Treasury. I have the Honour to be with the greatest Respect Sir Your Excellency's most Obedient humble Servant,

Jas. Duane.

Reprinted from Clinton, *Papers* (Hastings), 4:391-92.

¹ Congress directed a committee of three—Duane, Gouverneur Morris, and William Carmichael—on November 30 to collect "evidence relative to the infractions made by the enemy on the convention of Saratoga." *JCC*, 12:1175. For Clinton's efforts to comply with Duane's request for additional evidence of British infractions of the convention, see Clinton, *Papers* (Hastings), 4:365-68, 392, 420-23.

Samuel Holten's Diary

[December 2, 1778]

2. Wednesday. Congress sit in the Eveng. Mr. Temple from Boston dind with us.¹

MS (MDaAr).

¹ John Temple, a suspected British agent, had arrived in Philadelphia the previous day. For information on the background and purpose of Temple's visit to Philadelphia, see Samuel Adams to James Bowdoin, September 3, note 2, and December 19, 1778, note 2.

Henry Laurens to Patrick Henry

Sir 2nd December [1778]

I had the honor of addressing Your Excellency under the 16th

Ultimo, and on the 18th of receiving and presenting to Congress your favor of the 9th.¹

Within the present Cover will be found two Acts of Congress viz.²

1. of the 24th November for further arranging the Army. 5 Copies.

2. An Act of the 30th for obtaining Forage for the Army of these United States.³

LB (DNA: PCC, item 13). Endorsed: "By Thomas Ripley."

¹ For Laurens' previous acknowledgment of this letter, see Laurens to Henry, November 16, 1778, note 1.

² *JCC*, 12:1154-60, 1177. Laurens' letterbook indicates that this day he also sent copies of these acts to Gen. Benjamin Lincoln and had Moses Young deliver a copy of the second one to deputy quartermaster John Mitchell for quartermaster general Nathanael Greene. PCC, item 13, 2:203, 209.

³ For the continuation of this letter, see Laurens to Henry, December 6, 1778.

Henry Laurens to William Palfrey

Sir

2nd December [1778]

Since my last of the 30th October I have had the honor of presenting to Congress your favor of the 6th Ulto.¹ This will convey an Act of Congress of the 27th November for allowing additional pay to the officers of Warner's and other Officers in similar circumstances.²

I Am with great Respect &c.

LB (DNA: PCC, item 13). Addressed: "William Palfrey Esquire, Paymaster General, Camp. by Patrick Maher."

¹ *JCC*, 12:1115. Palfrey's November 6 letter to Congress is in PCC, item 165, fol. 490.

² Congress' November 27 resolve allowing additional pay for "officers appointed by Congress to raise regiments, to serve for three years or during the war, previous to the 7th day of October, 1776," was adopted in response to a memorial from officers in Seth Warner's regiment that had been referred to a committee of Congress on October 26. That committee, chaired by Roger Sherman, had written to Palfrey on October 30 to clarify some of the issues raised by Warner's officers, and Palfrey had replied to Sherman's letter on November 10. See *JCC*, 12:1067, 1166-67; and PCC, item 165, fols. 495-96.

Henry Laurens to Philip Schuyler

Sir

2nd December [1778]

Since my last of the 10th Ulto. I have had the honor of presenting to Congress your favor of the 2nd of that Month with the Papers which accompanied it; these having been committed and further considered produced an Act of the 30th for supplying our friendly Indians with Cloathing upon moderate terms, and for securing the

continuance of mutual Amity between the United States and those People.¹

Divers considerations have prevented hitherto Congress from entering upon that of the proceedings of the General Court Martial in your case, but it is to be taken up tonight, and I am going immediately after this Letter is finished to attend the House for that purpose.

I have the honor to be &c.

LB (DNA: PCC, item 13). Addressed: "Major General Schuyler for the Commissioners of Indn. Affairs, Albany. by Patrick Maher."

¹ See *JCC*, 12:1136, 1177-78. Schuyler's letters to Laurens of October 30 and November 2, and a number of enclosures pertaining to relations with the Oneidas and other friendly tribes, are in PCC, item 153, 3:364-89.

Henry Laurens to the States

Sir Philadelphia 2nd December 1778

By Messenger Dodd under the 16th Ultimo I had the honor of writing to Your Excellency, since which I received & presented to Congress your Letter of the 30th of October.¹

My present duty is to transmit two Acts of Congress which will be found within this inclosure viz.²

1. Six Copies of the 24 Ultimo for arranging the Army.
2. Six Copies of An Act of the 30th for obtaining Forage for the Army of these United States.

I have the honor to be, With great Esteem & Respect, Sir, Your Excellency's Most obedient & most humble servt.³

Henry Laurens,
President of Congress

RC (R-Ar: Letters to Governors). In the hand of Moses Young and signed by Laurens. Addressed: "His Excellency William Greene Esquire, Governor of Rhode Island and Providence Plantations."

¹ For the receipt of William Greene's October 30 letter to Congress, see *JCC*, 12:1136. In transmitting the two acts enclosed herein, Laurens drafted a separate letter to each of the states. Consequently each contains either an acknowledgment of the last letter received since his November 16 circular letter to the states or the simple statement that no letter had been received since that date. See PCC, item 13, 2:196-202.

² *JCC*, 12:1154-60, 1177.

³ In the letter sent to Pennsylvania this day, which was addressed to Joseph Reed, Laurens added a paragraph congratulating Reed on his recent election as president of the Supreme Executive Council of Pennsylvania. See PCC, item 13, 2:199; and *Pa. Council Minutes*, 11:632-34.

Henry Laurens to John Sullivan

Sir

2nd December [1778]

Since my last of the 12th November I have had the honor of presenting to Congress your favor of the 2nd of that Month. This will convey to you an Act of Congress of the 30th Ultio. the result of a consideration of your said Letter for obtaining Forage for the Army.¹

I have the honor to be, With great Esteem and Regard, Sir, Your Obedient and Most Humble Servt.

P.S. I shall keep this uncover'd till the Morning in order to inclose a Newspaper. I add 6 copies of an Act of the 24th November for the arrangement of the Army.

LB (DNA: PCC, item 13).

¹ See *JCC*, 12:1161, 1177.

Henry Laurens to George Washington

Sir

2nd December [1778]

I had the honor of writing to Your Excellency on the 28th Ultimo, and of presenting to Congress your favor of the 23d on the 30th.

Last Night Mr. Dodge delivered me Your Excellency's Letter of the 26th which shall be laid before Congress this Morning.¹

This will be accompanied by the undermentioned Papers.

1. An Act of Congress of the 30th November for the more speedily and effectually obtaining Forage for the Army.
2. Copy of a Letter from Lieut. Colonel Fleury of the 29th Ultio. to Congress.

Your Excellency is requested by the House to express your sentiments thereon, and also of the Merits of Mr. Fleury during his service in the Army.²

3. An Act of Congress of the 1st Instant for granting a Brevet Commission with a saving Clause to Lieut. John Simonet de Valcour to rank as Captain—prefaced by a recital of a special Recommendation of Mr. Valcour by Colonel Elisha Sheldon and other Officers.³

4. The Brevet which I request Your Excellency will be pleased to transmit to the proper hand.

I have the honor to be &c.

LB (DNA: PCC, item 13).

¹ See *JCC*, 12:1175, 1183. For Washington's letters of November 23 and 26, see Washington, *Writings* (Fitzpatrick), 13:315–18, 332–34, and PCC, item 152, 6:545–50, 567–70.

² The November 29 letter of François-Louis Teissédre de Fleury is in PCC, item 78, 9:213–16. In it he had notified Congress that because his furlough had expired he would either have to return to France or explain the reasons for his remaining in America, and consequently he asked Congress to speak to the French minister about his case. Congress was reluctant to do so without consulting Washington, who on December 13 advised against requesting a renewal of Fleury's furlough. "An application of that kind," Washington explained, "ought in my opinion to be made by himself, not only because it is customary, but because solicitations of a similar nature would in all probability be made by many not having Mr. Fleury's claim to the favr. of the public, and to whom it would be difficult to give a refusal after a precedent had been established." Washington, *Writings* (Fitzpatrick), 13:387. For Washington's explanation to Fleury on this subject, and Congress' response to Washington's advice, upon which it postponed action until the similar case of General Duportail and the French engineers had been settled, see *ibid.*, p. 388n.25; JCC, 12:1227, 1246, 13:9–10, 26; and John Jay's letters to Gérard of January 3 and 20, 1779.

³ See JCC, 12:1179–80. This day Laurens also wrote a brief letter to Col. Elisha Sheldon of the Second Continental Dragoons signifying that Valcour had been promoted in accordance with the recommendation of the officers of his regiment and that Valcour's commission was being transmitted to Washington. PCC, item 13, 2:194. In his December 7 reply Washington acknowledged that he had "forwarded the Brevet to Capt. Seminot" as requested. Washington, *Writings* (Fitzpatrick), 13:378.

Marine Committee to the Eastern Navy Board

Gentlemen

Decemr. 2d 1778

With our Letter of the 24th ultimo we transmitted you a Resolve of Congress directing an Abatement on the first cost of Slops delivered to seamen in the Navy; we think it necessary to Observe that this Deduction is to be made only from the Cost of Slops purchased in America.

In a late letter from Captain Abram Whipple he mentions that the Advance you had charged upon Slops taken up in France by the Crews of the Vessels lately Arrived had caused discontent and would be very detrimental in remanning the Ships. We request you will inform us relative to the Advance you charged with your reasons for fixing the Same and are, Gentlemen, Your Hble servants

LB (DNA: PCC Miscellaneous Papers. Marine Committee Letter Book).

Marine Committee to Abraham Whipple

Sir,

Marine Committee, Philadelphia Decmbr 2d 1778

We have recd your Letter dated November last giving an Account of your proceedings in your late Voyage which we Approve of. At the time that you had the Command of the ship Columbus there was on

board her a Seaman Named John Gallard who says he lost his Arm in the Engagement with the Enemies Ship the Glasgow and has Applied to Congress for half pay which by the resolve of Congress he is entitled to during his Life. If you know this to be a fact we request you will transmit to us a Certificate thereof by the first Opportunity.¹

We are sir, yr hbble servts, By Order Committee.

Saml Adams Chairman

Tr (MiU-C: Whipple Letter Book).

¹ Little information on Gallard has been found, but in an April 1776 report to Congress on his recent engagement with the *Glasgow*, Commodore Esek Hopkins reported from New London, Conn., that "the *Columbus* had one Man lost his Arm," and a few weeks later the Continental agent at New London listed "John Gallard of the Ship *Columbus*" among "the sikest" of Hopkins' men then being boarded out during recuperation. See Morgan, *Naval Documents*, 4:736, 5:911, 913.

Committee on Appeals Decree

December 3rd. 1778.

Charles Jencks &c. Appellee
ad.

Jonathan Payson &c. App[ellan]ts

} Appeal from the Court of
Admiralty of the State of
Rhode Island¹

We the Commissioners appointed by the honorable Congress to hear, try and determine all Appeals from the Courts of Admiralty of the several American States having heard and fully considered as well all and singular the Matters and Things set forth and contained in the Record or Minutes of the Proceedings of the Court aforesaid in the above Cause as the Arguments of the Advocates of the respective parties in the above Appeal do thereupon adjudge & decree that the Judgment or Sentence of the Court aforesaid be in all it's parts revoked, reversed and annulled And that the Sloop or Vessel called the Fancy her Tackle, Apparel & Furniture and the Goods, Wares and Merchandizes laden and found on board the said Sloop at the Time of her Capture as mentioned in the Bill of the said Charles Jencks &c. be restored and redelivered unto the above Jonathan Payson and others the Appellants in this Cause And We do further adjudge and decree that the said Charles Jencks &c. pay unto the said Jonathan Payson &c. the Sum of two hundred and eighty dollars—for their Costs and Charges by them the said Appellants expended in sustaining and supporting their said Appeal.

Wm. Hy. Drayton

O. Ellsworth

John Henry Junr

MS (DNA: RG 267, case no. 34). In a clerical hand and signed by Drayton, Ellsworth, and Henry.

¹ The case of Charles Jencks, a ship captain from Rhode Island, versus Jonathan Payson, a shipowner from Portsmouth, N.H., had been referred to the Committee on Appeals by Congress on October 20, 1778. See *JCC*, 12:1024; and *N.H. State Papers*, 8:452, 771.

Samuel Holten's Diary

[December 3, 1778]

3. Thursday. Congress sit in the evening & confirmed the sentence of the Court Martial upon Genl. Schuyler & acquitted him of the charges brot. against him.¹

MS (MDaAr).

¹ See Henry Laurens to Philip Schuyler, December 4, 1778.

Henry Laurens to Silas Deane

Sir

3d December [1778] 10 o'Clock

On Tuesday I received and presented your Letter of the 30th Ultimo to Congress and received direction to intimate to you that the House, having resolved to take into consideration as on this evening the state of their foreign Affairs such branches as you have been particularly concerned in, would in due course become subjects of deliberation without any, avoidable or unnecessary, delay.¹

I should have given you this information Yesterday had not the very long Sessions of Congress morning and evening together with very full employment in Public business in the interval rendered it impracticable.

I have the honor to be &c.

LB (DNA: PCC, item 13). Endorsed: "By M. Young."

¹ *JCC*, 12:1181. Copies of Deane's November 30 letter are in PCC, item 103, fol. 163; and *Deane Papers* (NYHS Colls.), 21 (1888): 63.

Henry Laurens to William Heath

Dear Sir,

Philadelphia 3d December 1778.

Last Night I had the honor of receiving your favor of the 19th Ultio. accompanied by many Papers respecting the Convention Troops which shall be laid before Congress this Morning.¹ Inclosed with this you will receive an Act of Congress of the 24th November for further arranging the Army & a News Paper of the present day.²

I have the honor to be, With very great Respect & Regard, Sir,
Your Obedient & Most humble Servant,

Henry Laurens, President of Congress

RC (MHi: Heath Papers).

¹ JCC, 12:1185. Heath's November 19 letter transmitting "the most accurate Return & state of the Troops of the Convention that I can obtain" is in PCC, item 157, fols. 240-43.

² This day Laurens also wrote the following letter to "Major General Gates, Commanding Officer, Eastern Depart. Boston, by Patrick Maher." Not having any of your favors unanswered, and no particular Commands from Congress I have only to transmit an Act of the 24th November for further arranging the Army, and five Copies, to which I shall add a Newspaper of the day." PCC, item 13, 2:203.

Francis Lewis to George Clinton

Dear Sir,

Phila. 3d Decemr. 1778

I had the honor of writing to you yesterday in conjunction with my Collegues.¹ Congress has since received from Lord Sterling, Commanding at Eliza. Town, a State of the British Army, together with their late embarkations of which the inclosed is a Copy.² Should any part of that Army be destined against Charles Town So. Carolina, Congress hath a month past ordered 1000 Militia from Virginia, 3000 from North Carolina, together with the Continental Troops in that Quarter to rendezvous at Charles Town, and in case the Enemy do not attempt that place, our Troops are to proceed against St. Augustine under the Command of General Lincoln.

I cannot help thinking that Lord Sterling's Return relative to the Enemies force in the vicinity of Nw York somewhat exaggerated, as I have been lately informed by a person from Staten Island that there is very few troops at present on that Island, and that the Enemy do not intend to leave Nw York this Winter.

Mr. Jay is not yet arrived; and this morning the proceedings of the Court Marshall upon Genl Schuyler is to be reviewed by Congress.³

When anything material happens in this Quarter, I shall take the earliest opportunity to inform you. I have the honor to be, Your Excellency's Most Obedient, Humble Servant, Fras Lewis

RC (PPRF).

¹ Lewis was referring to the New York Delegates' December 1 letter to Clinton.

² This may be a reference to a private letter from Gen. William Alexander to Henry Laurens, who acknowledged receipt of letters from Alexander of November 29 and December 1 but apparently did not formally submit them to Congress. See Laurens to Alexander, December 5, 1778, note 1.

³ See Henry Laurens to Philip Schuyler, December 4, 1778.

Samuel Holten's Diary

[December 4, 1778]

4. Friday. Congress sit in the evening & took into consideration G. Lee's affair.¹ Mr. Hubbard of Connectit. & Capt Brown of Boston dined with us. Dr. Shippen & his Lady, Son & Daugr. suped with us.

MS (MDaAr).

¹ Consideration of the verdict of Gen. Charles Lee's court-martial held Congress until late evening, but the delegates adjourned on the verge of voting on the issue. *JCC*, 12:1188.

Henry Laurens to Philip Schuyler

Sir

4th December [1778]

I had the honor of writing to you the evening of the 2nd Instant, to which I beg leave to refer.

The business before Congress at the meeting which I had intimated totally obstructed the passage of that in which you had been from various untoward and unavoidable circumstances too long unhappily detained: at length on the following Evening Congress took under consideration the proceedings of the General Court Martial on the tryal of Major General Schuyler, and resolved that the sentence of acquittal with the highest honor be confirmed, ordered the Publication of the proceedings of the Court and that the Resolution be transmitted to the Commander in Chief.

It is with peculiar satisfaction Sir, that I now convey to you An Act of Congress of the 3d Instant for these purposes,¹ and I request you will do me the honor of believing that I Am with very great Respect and Regard, Sir, Your Obedient & Most Hbl Servt.

LB (DNA: PCC, item 13).

¹ *JCC*, 12:1186. With these resolves Congress finally closed an inquiry launched in August 1777 into Schuyler's responsibility for the evacuation of forts Ticonderoga and Mount Independence, for which see these *Letters*, 7:416-18.

James Lovell to Henry Bromfield

Dear Sir¹

Decr. 4th. 1778.

I, this morning, received the inclosed from Baltimore, with a few Lines from my amiable young Friend your Son,² and though I was only to forward it by a private Hand or put it into the Office, I will make this Request of his the Cause of my performing an agreeable

Right of Civility & Gratitude to you, which an unbounded Portion of public Business will probably make me, as heretofore, neglect, without some accidental Stimulus, like the present, occurring.

On the Spur, then, of this Occasion I most affectionately salute you & your lovely Family. I will not be forgotten by my former charming Pupils, even if they are married. I retain a most pleasing Memory of them & their exemplary manners. Mrs. Bromfield must excuse me if remembring also her many enviable Qualities, I retain one visible Anecdote of her. She told *her* Daughter so lately as two years ago to "hold up her Head." Well might the little Emblem of Uprightness show a rosey Streak of Wonder.

And now, Sir, finding my Brain relieved, by this little Exertion of Fancy, from the State into which it had been beaten by the Pros & Cons in a Discussion upon Finance, I think I can venture again upon the disagreeable Subject for a moment or two. While we are plodding here to reduce the Quantity of circulating Medium, cannot Associations be formed to discountenance one great Source of Depreciation which operates more strongly than even Quantity. I mean the speculating Spirit which is devouring us in geometrical Proportions. Taxation is doubtless our first object here and will most readily be received by all the People. Loan is another, if not the second to be pursued; but then, Quere, foreign or domestic? How shall Monies *now* received in Loan be paid? As those received in 1776? Every Genius on the Continent with a Turn to Finance should throw his mite in to the Delegates of his particular State while that important Matter is in agitation.

I parted with your Brother Thomas this morning Decr. 5th. Your son probably will sail before his Uncle. But doubtless one or other of them decide this matter to you by Letter. I have only therefore to add renewed assurances of Regard as your affectionate obliged humble Servant.

James Lovell

MS not found; reprinted from "Letters of Lovell and Adams," *Transactions of the Colonial Society of Massachusetts* 6 (1899-1900): 77-78.

¹ Henry Bromfield (1727-1820), a prominent Boston merchant.

² Henry Bromfield (1751-1837), who subsequently pursued a successful mercantile career and moved to Gloucestershire in England. *Ibid.*, p. 77n.2.

Charles Thomson's and Henry Laurens' Notes on Proceedings in Congress

Decr. 4 [1778].¹

The president communicated to Congress another² unsigned note from the Minister of France, relative to a plan he had proposed for

discharging the debt due to Roderique Hortalez & Co, alias, Beaumarchais, namely by furnishing the french fleet in America with provisions for the amount of which the court would procure the United States a credit with R. Hortalez & Co. The note was delivered in english in the words following.

Leave is begged from the hon. President of Congress to submit him some reflexions upon a late conversation.

The insinuation made was founded upon the consideration that the method proposed would be more simple, more easy and more convenient than any other & that besides, the troubles, the expences, the dangers of the sea and of the enemy, the spoiling of the cargoes &c would be avoided.

The manner of executing this plan if adopted could be very simple and attended with no inconveniency. The court shall take upon herself to satisfy the furnisher of the articles in question and Congress shall receive his discharge for ready money in his accounts with the court. December 4. 1778.

About the 2d or 3d of December Mr. Girard had desired me to inform Congress, that as the Court of France were indebted to these States for the supplies of provision to Count D'Estaing's fleet at Boston, he recommended to Congress to draw a line in M. Beaumarchais' account which should seperate the articles of Cannon & Military Stores from other articles in that account—that the amount of such Cannon & Stores might be set against the amount of supplies to Count d'Estaing, & a Balance struck as the case might be. This Mr. Girard said would be an easier & safer means of paying for such Cannon & Stores than by remittances exposed to the danger of the Sea. I asked Mr. Girard if this would not be acknowledging that the Court of France had furnished those Stores, which as I understood, the Court wished to conceal. This question a little alarmed Mr. Girard, who said Ah! we are now in War.

I reported the desire of Mr. Girard to Congress & intimated my own wish that Mr. Girard should signify what he had said to me in writing in order to avoid mistakes. Congress directed me to apply to Mr. Girard for that purpose. I applied immediately in consequence of which Mr. Girard sent me a Note of which the preceeding is a Copy, and although it is not *quite* a Copy of our conversation, 'tis plain enough to shew that the court had something to do with the furnishing Cannon & Stores—otherwise a Minister plenipotentiary I should presume would not have interfered in this manner.³

But who is the furnisher? M. Beaumarchais says he is.

Mr Deane in one place, says the Cannon & warlike Stores were granted to his request.

In another place, he says⁴ “finding there was a surplus of Cannon

in the arsenals to be *disposed of* I waited on the Minister & solicited the liberty of purchasing them but *was refused*, then proposed to procure a Man to purchase them on condition he should not be called on for Payment until he received his Remittances from America. I could not obtain this. This application I made previous to my Contracts with Monsieur Beaumarchais."

In another place Mr. Deane says⁵ "after which I mentioned to His Excellency (Count Vergennes) the situation in which the Cannon & Stores I had purchased actually were & prayed his advice. He asked me of whom I had purchased. I told him, he said there had been some very imprudent conduct & seemed to blame Mr. Beaumarchais."

MS (DNA: PCC). MS (ScHi: Laurens Papers). The first four paragraphs of this entry are in the hand of Charles Thomson and are from his transcripts of letters from Conrad Alexandre Gérard and resolves of Congress thereon, PCC, item 114, fols. 41-42. The remainder of the entry consists of notes in the hand of Henry Laurens from the Laurens Papers, item 32.

¹ This date, supplied by Thomson, pertains to the proceedings of Congress summarized in paragraph one. The December 4 date appearing at the end of paragraph four is the date of Gérard's "unsigned note" to Laurens, the original of which is in PCC, item 94, fols. 50-51.

When the remainder of the entry was written can only be conjectured but it seems most likely that Laurens wrote it after Silas Deane completed the reading of his "narrative" on December 31, from which Laurens took the quotations designated in notes 4 and 5 below, but before January 5, when Gérard formally submitted to Congress a proposal similar to that discussed in his unsigned note and which rendered moot Laurens' speculations on "who is the furnisher" of "the Cannon & warlike Stores" shipped to America. See JCC, 13:29; Wharton, *Diplomatic Correspondence*, 3:9; and PCC, item 94, fols. 72-77.

² Thomson was referring to the fact that on December 2 Gérard had also delivered to Congress an "unsigned note," "respecting the authentication of papers" from French officials, for which see JCC, 12:1183; and PCC, item 94, fols. 44-46, item 114, fol. 41.

³ That "the court had something to do with the furnishing Cannon & Stores" was a subject that greatly exercised Laurens and lay at the heart of the Deane-Lee controversy. He was reluctant to accept—and perhaps never did—Gérard's official explanation, designed to conceal the extent of French aid to America before 1778, "that all the supplies furnished by Mr. de Beaumarchais to the States, whether merchandise or cannons and military goods, were furnished in the way of commerce, and that the articles which came from the king's magazines and arsenals were sold to M. de Beaumarchais by the department of artillery, and that he has furnished his obligations for the price of these articles." Wharton, *Diplomatic Correspondence*, 3:9. Congress was doubtless embarrassed at Beaumarchais' persistent efforts to collect for these articles, through his agent Jean Théveneau de Francy, who had been petitioning Congress for nearly a year for remittances to defray that obligation, on which even interest payments had not been met. And Gérard's intervention in this matter, although without result until he made his proposal a formal one on January 5, was apparently the measure that finally forced Deane's critics to relent sufficiently to permit Francy to begin to collect on Beaumarchais' contract. In any event, Congress resolved on January 15 to permit the immediate shipment of 3,000 hogsheads of tobacco in accordance with Francy's

recent appeals of November 11 and 28, for which see John Jay to Francy, January 15, 1779.

For a critique of the traditional American view that at least a large part of the supplies shipped by Beaumarchais were a gift from France, which Vergennes as well as Gérard and Beaumarchais explicitly challenged, see Brian Morton, "Vergennes, Beaumarchais, and Roderigue Hortalez Et Cie," *Proceedings of the Western Society for French History* 3 (1975): 256-64. See also below, pp. 445-46n.1.

⁴ The remainder of this paragraph is a fairly accurate quotation from Silas Deane's "narrative," for which see *Deane Papers* (NYHS Colls.), 21 (1888): 157. Quotation marks editorially supplied.

⁵ Remainder of paragraph is also taken from Deane's "narrative," *ibid.*, p. 160.

Samuel Adams to Caleb Davis

My dear Sir ¹

Philadelphia Decr 5th. 1778

About a fortnight ago I was informed by Mr. Dugan that the Sloop Friendship in which I understand you are interested, had been seized by the Naval Officer in Baltimore because a Permit was not applyd for and obtaind before a Quantity of Flour was put on Board agreeably to a Law of the State of Maryland. As the Flour was publick Property, and shipped partly by Order of the Marine Committee and partly by the Commissary General, I immediately laid the Matter before that Committee, and at their Request wrote a Letter to the Governor of Maryland, stating the Circumstances to him, and another Letter to William Smith Esqr. of Baltimore desiring him to send a Particular Account of the Seizure & Condemnation and wishing to know whether any Person had taken Care to prosecute an Appeal here in Behalf of the Owners.² I have since had the Pleasure of being informd that the Governor and Council had thought proper to send for the Papers & Evidence which appeard on the Trial and on Enquiring into the Matter had discharged the Vessel & Cargo, the owners paying Cost. I thought it necessary to give you this Information, that you may take such Measures as may seem to you best.

Having said thus much upon a private concern, I would fain talk with you a little, if I had Leisure about the Publick. I am persuaded that our Enemies have long despaird of subduing us by the Power of their Arms. They have lately sent their Commissioners to amuse and deceive us. Those Commissioners are returnd without effecting their Purpose. Great Britain is already involved in a War with France, and I believe will soon be with Spain. These two Powers have so long been preparing and are so well prepar'd for the Rupture that the British Fleet has not been more than a Match for one of them. If they had been joyn'd on the 27 of July last, they would in all Probability have maintaind the Sovereignty at Sea at least for a Season. Great Britain will therefore find herself so engag'd, especially if Spain joyns with France as to be oblig'd to withdraw her Attention,

in a great Measure from America. Should she call off all her Troops, we must still have an Army for other Purposes besides defending our selves till Peace is established. If we wish for a permanent Peace, Canada & Nova Scotia must be ours. We may then hope for a Share in the Fishery; & you know the Importance of that to the Massachusetts State. Besides other Advantages of the Fishery, it will be a Nursery of Seamen for a Navy; & without a Navy America will never become formidable or respectable. She will never be able to afford Protection to her Trade. The Fishery then is of great importance to all the United States. It does not appear probable that Great Britain would easily be prevaild upon to cede to us Canada and Nova Scotia when serious Negotiations may take Place. Will it not be wise then for us to wrest those Possessions from her, if it be in our Power? We are told *there is a Time for Peace*; and that Time will come, when we shall be driven to it by the Necessity of our Affairs, which God forbid! Or when we shall by the Smiles of Heaven, have obtaind such Advantages as to ensure a lasting & happy Peace. I have heard it has been said of me on a late occasion and perhaps to serve the Purposes of some political Men; that I am averse to Peace. I was formerly chargd with endeavoring to enkindle a War. I will assure you, my Friend, that whenever our Enemies will close with us upon Terms consistent with the Safety of our Country, the Honor of Independent Nations and the Faith always due to Treaties, I will most cordially consent to them; for there is nothing which for my self I more ardently wish for, than the sweet, and in this Period of my Life, the profitable State of Retirement into private and domestick Life.

Adieu, my dear Sir. With Sentiments of Esteem and Regard for all Friends in your Circle I am very affectionately, Yours, S.A.

[P.S.] I shall be much obligd if you will write to me when you have Leisure. I wish to know the particular State of publick Affairs in Massachusetts Bay.

Pray make a Visit to Mrs. A. and deliver her the inclosd.

RC (MHi: Davis Papers).

¹ Caleb Davis (1738–97), Boston merchant and shipowner, was a member of the Boston Committee of Correspondence, 1772–76, and the Massachusetts House of Representatives, 1776–81, 1783–88. *Proceedings of the Massachusetts Historical Society* 54 (March 1921): 215–24.

² See Marine Committee to Thomas Johnson, November 6, 1778.

Henry Laurens to William Alexander

My Lord.

Philadelphia 5th December 1778.

I am particularly indebted to Your Lordships obliging favor of the 1st December. Those of public concerns under the 29th November

& of the date first mentioned remain yet a secret to Congress, I mean the Contents; for I have day by day for some days past announced these & many other public Letters to the House.¹

Your Lordship will justly conclude that the business which has obstructed the bare hearing the import of dispatches which for aught we know may be nothing less than the evacuation of New York Garrison or the reinforcement of that place by Ten thousand new troops, must be exceedingly momentous. I speak to you Sir as a Gentleman & fellow Citizen.

My last date to Your Lordship is the 1st Inst.² I owe you News Papers of Thursday & this Morning two of each, together with two Copies of General Lee's & one of General Sinclair's trials will be found in the packet which will contain this. Congress have not yet decided on these Cases; this Morning's Paper shews the determination on Major Gen. Schuyler's. Your Lordship will observe the coverings of General Lee's trial are of different colours, the Marble was published by Order of Congress, the blue I apprehend by General Lee's order. I bought this of the Printer & have not had time to examine it. I am not conscious of any impropriety in requesting Your Lordship to recur to the Verdict of the Court on the second Charge which is founded on the 13th Article of the 13th Section of the Articles of War, & then to the 12th Article of the same Section. Had I the Articles before me I should score under the words & *runaway* & be strongly of opinion that the Copyist had, which is easy to imagine, inserted 13th when 12th had been the fact,³ but if this be arcanum & not a plain error, it would be highly impertinent to attempt to develop a single jot—which is not my meaning.

I *believe* the late Report of a second naval engagement; although we have received no further accounts.

I thank Your Lordship for the offer of kind consolation, but My Lord when Liberty is tottering on the verge of a precipice & her Salvation dependant upon an hypothesis, 'tis impossible that her Sons should suppress apprehensions. Indeed My Lord the Baby Independence is asleep, the Nurse is gadding & the Wolf is at the Door; if the Gypsy does not return at this very instant the Innocent Child will be torn to peices, for besides the danger from the Wolf there's a fox in the House & a Tyger approaching. Believe me My Lord my mind is not of a gloomy cast, & believe nothing more of my understanding than bare common sense & a very little penetration, those who would ruin us will readily subscribe to the latter.

I have the honor to be, With the highest Respect & Esteem, Sir, Your Lordship's Obliged & Obedient Servant.

Henry Laurens, private

letter of the same date to Adm. James Gambier pursuant to Congress' recent order, is in PCC, item 162, fols. 551-57. See *JCC*, 12:1188; and Laurens' first letter to Alexander of November 29, 1778. Alexander's personal letters to Laurens of November 29 and December 1, of which there is no mention in the journals, are in the William Gilmore Simms Collection deposit, MHI.

² Not found.

³ For Laurens' references to the Articles of War, see *JCC*, 5:798.

Henry Laurens to Silas Deane

Sir,

Philadelphia 5th December 1778.

I had the honor of presenting your Letter of the 4th to Congress this Morning. The House have assigned Monday evening for hearing you as you will learn from the inclosed Act for that purpose.¹

I am with very great respect, Sir, Your most obedient servt.

Henry Laurens, President of Congress

RC (CtHi: Deane Papers).

¹ *JCC*, 12:1192. With this letter a chapter in the relations between Deane and Congress came to a close. He had written a dozen letters to Congress since his last appearance before that body on August 21, and he had already come to a determination to take his case to the public rather than to await a congressional invitation to resume his defense of his mission to France. Just when he drafted his address "To the Free and Virtuous Citizens of America" that appeared this day in John Dunlap's *Pennsylvania Packet* is not known, but, as he explained to his brother Barnabas, he decided to appeal to the public even before writing his previous letter to Congress of November 30. Thus he dated his public address "November, 1778"; and his December 4 letter to Laurens contains the following passage which in retrospect can be seen as a veiled warning: "Previous to receiving the intimation you have given me [*i.e.*, in Laurens' December 3 letter to Deane], . . . I had prepared to leave this city, and had made my arrangements accordingly, which will not be in my power to dispense with for any time." *Deane Papers* (NYHS Colls.), 21 (1888): 61-62, 65-76. Therefore when Deane attended Congress on the seventh in pursuance of the resolve Laurens enclosed with this letter, the mood in Congress had changed and Deane was instead directed to report "in writing, as soon as may be, his agency of their affairs in Europe," with the proviso that "if he hath any thing to communicate to Congress in the interim, of immediate importance," he would be heard the following evening. *JCC*, 12:1200-1201. For Deane's appearance before Congress at that time, see the Draft Motions on Silas Deane, December 7, 1778, printed below. For evidence that some delegates suspected Deane of dissimulation in keeping up a correspondence with Congress even after having decided to appeal to the public for vindication, see James Lovell to Richard Henry Lee, December 10, 1778.

Henry Laurens to George Washington

Sir

5th December [1778]

My last was dated the 2nd Inst. since which I have had the honor of presenting to Congress Your Excellency's favors of the 23d, 26th

and 27th Ultimo, that of the 26th committed to the Board of War, and the whole remain unconsidered.¹

This will cover two Acts of Congress—one of the 3d Instant for confirming the sentence of the General Court Martial on the tryal of Major General Schuyler—the other of the 4th for granting leave of absence for six Months to Major des Epiniers.²

I have the honor to be &c.

LB (DNA: PCC, item 13).

¹ *JCC*, 12:1183, 1185–86. These three letters are in Washington, *Writings* (Fitzpatrick), 13:309, 332–34, 350–52, and PCC, item 152, 6:565–70, 577–80.

² Laurens also transmitted a copy of this resolve in a December 5 letter to Augustin F. Des Épiniers. See *JCC*, 12:1187; and PCC, item 13, 2:206.

Committee of Congress to Charles Pettit

Memo. for Colo. Pettit,¹ In Committee of Congress
Philada. 6th December 1778

The Committee desire to know the Amount of the Forage now on Hand. The Quantity which is probably to be expected by Contracts made, and the like by the 1st Day of May and the daily Consumption. Colo. Pettit by making these Estimates in writing and as much as possible at large will oblige his humble Servants,

Nath. Scudder

Gouvr. Morris

Wm Whipple

Tr (DNA: PCC, item 173). In the hand of Nathaniel Scudder.

¹ Charles Pettit (1736–1806), a new Jersey lawyer, was deputy quartermaster general of the Continental Army, 1778–81. After the war Pettit became a Philadelphia merchant and was elected a delegate to Congress, 1785–87. *DAB*.

Henry Laurens to Patrick Henry

[December 6, 1778]

When I was about closing this Letter Your Excellency's favor of the 23d Ultimo was brought to me; three days passed over before other important Affairs under consideration of Congress before the House would permit it to be received. Yesterday it was read and committed to the Marine Committee whence I hope it will soon be returned with a proper Report.¹ I had with Colonel Smith's consent detained this Messenger from the 28th Ultimo to the 2nd Instant for the printed Arrangements, amused by the Printer with promises of having them finished much sooner, and from the 2nd to this day,

from a prospect of receiving a determination from Congress respecting the Gallies without the intervention of a Report. This day the 6th, and Sunday too, I have had such a variety and quantity of Public business on my hands as has rendered it impracticable for me to add these few lines till 8 o'clock P.M., the whole detention nine days, for which I shall order payment of the expences of Man and Horse.

I can assure Your Excellency from the best authority that in the Month of August the Court of St. James' applied to that of Madrid to use its influence in mediating between the former and the Court of Versailles. Spain listened and required the terms; these being disclosed, but I have not time to relate particulars, were highly resented by the King of Spain as an insult upon himself because they were inconsistent with the dignity of his good Ally. Spain was in the middle of September in motion with all her Armaments bespeaking the very near approach to hostilities.

I have the honor to be &c.

LB (DNA: PCC, item 13). A continuation of Laurens to Henry, December 2, 1778.

¹ JCC, 12:1188-89. Henry's November 23 letter to Congress—which is endorsed by Charles Thomson "Read 2d December. Read 5. Referred to the Marine Comee."—is in PCC, item 71, 1:193-200, and Henry, *Patrick Henry*, 3:203-5. In it Henry explained some of the preparations being made to comply with Congress' request for galleys for an expedition against East Florida, for which see Laurens to Henry, November 14, 1778, note 2.

Henry Laurens to the Marquis de Lafayette

My Dear Marquis.

Philadelphia 6th December 1778

I most sincerely rejoice at your recovery from so dangerous a fit of sickness as you described yours to have been in your favor of the 29th Ultimo. I had been given to understand that you were but slightly indisposed by fatigue, your maxim Dear Marquis is just what unfortunately is generally out of sight when we are in good health, & stand most in need of the application.

I have presented your public Letter to Congress & thence it has been put into the hands of a Committee, which I hope will not delay to report as they are fully sensible of your anxiety to commence your Voyage & of the dangerous approaching Season of the Year.¹

I have at this Instant no remembrance of the printing the Letters you allude to & would rather say I will enquire tomorrow than risque the loss of this opportunity by an immediate enquiry, I recollect to have applied to Congress for an order to print but forget the result.² When Congress authorize me to write to you, the several persons you have named shall be duly notified of the Messenger's intended departure who is to conduct my dispatches.

Colonel Laurens is still here & desires me to assure you of his respect & good wishes & he is equally mortified at the disappointment of meeting you at camp or on the Road when he was coming to Philadelphia.

There is a Comedy of errors between Mons. Gienat & Monsr. du Plessis, each are jealous of an advantage which he supposes the other has gained while each remains in statu quo Lieutenant Colonel nor would I advise these my freinds to be anxious for obtaining a Commission in an order which by the late arrangement is abolished in the American Army. I have the honor of transmitting with this half a dozen Copies of the late arrangement which shews there is no grade between a Lieutenant Colonel & a Brigadier, now suppose Colonels Commissions were given to these Gentlemen what would be said in France by any person acquainted with this arrangement, either that the Commissions had been surreptitiously obtained or that Congress had given them a blank Paper to get rid of their continued importunity & both the arrangement & the importunity are well known at their Court & will from thence diverge to all parts of the Army.

I have been about four hours writing this Short Letter & yet every syllable has been written in haste & without premeditation, judge Sir, how often I have been interrupted. I often mentally repeat Pope's words.

Shut shut the door good John fatigued I said.

Tye up the knocker say I'm sick I'm dead.

I will not yet take a final leave of my good freind I shall have the honor of addressing him once more before this week expires. Congress yesterday confirmed the sentence of the General Court Martial on General Lee. His Letter which you will read in Dunlap's Paper of the 3d Inst. will do him much hurt, it is exceedingly malicious & will be answered, the answer will be pointed, I judge so from my knowledge of the pen, which I am told is to perform it. He has certainly exposed himself to very severe Strictures, but I will not interfere in these matters.

Mr. Dean's Letter which appeared in yesterday's Paper, astonished one of his best freinds. I have not read it, but such of its contents as have been related to me lead me to think his silence would have discovered more wisdom—you will find a Copy within.

Adieu my Dear Marquis beleive me to be with every sentiment of Esteem & Respect Your obliged & most obedient servant.

Henry Laurens. Private

RC (Archives du ministère des affaires étrangères: Correspondance politique, Etats-Unis, supplement).

¹ For Lafayette's November 29 "public Letter to Congress," which was referred to committee on December 5, see Lafayette, *Papers* (Idzerda), 2:205-7. For his private letter to Laurens of the same date, which is in the Laurens Papers, ScHi, see *ibid.*, p. 211n.1-2.

² In response to a suggestion contained in Lafayette's private letter of November 29, that its resolutions of thanks to him of September 9 and October 21 be published, Congress resolved on December 17 to do so. *JCC* 12:894, 1034-35, 1227.

Henry Laurens to the Chevalier de La Neuville

Sir

6th December [1778]

On the 3d Inst. I had the honor of presenting to Congress your Letter of the 20th Ultimo. Your request was granted as you will perceive by an Act of Congress of that day which you will receive under this Cover.¹ I wish you Sir a safe passage and an happy meeting with friends in your Native Clime. I am with great Respect, Sir, your obedient & Most Humble Servt.

LB (DNA: PCC, item 13).

¹ For Congress' December 4 resolve granting leave to Louis-Pierre Penot Lombart, chevalier de La Neuville, in response to the request contained in his November 23 letter to Congress, see *JCC*, 12:1186-87; and PCC, item 78, 17:71.

Henry Laurens to George Washington

Sir

6th December [1778]

I had the honor of writing to your Excellency yesterday by a Messenger to Lord Stirling. This will be accompanied by an Act of Congress for taking eventual Measures for emancipating the Province of Quebec dated the 5th Instant.¹

The 4th Instant Congress resolved to promote Lieut. Henry P. Livingston to be Captain in the Corps of Your Excellency's Guard vice Captain Gibbes promoted.² Mr. Livingston having called on me for his Commission I have delivered it to him. The 5th it was resolved to lay aside the Plan for raising a Corps to be called the German Volunteers, in which a Mr. Feuher and Mr. Kleinshmeit had obtained Commissions to be Captains;³ these Men deserted some Months since from the Enemy's Garrison at New York and I think came hither from Your Excellency's Camp; the Board of War in their Report on this head intimate as our reason for desisting from raising the intended Corps, the late bad behaviour of the two Captain's abovenamed which revived in my Mind that they had been upon their arrival at Philadelphia conducted to me by another pretended Deserter and Quarter Master in the Enemy's Army, a Jew, who has since been discovered to be a fellow of infamous character. He interpreted from them several pieces of intelligence respecting the Enemy which were altogether groundless, and must have been calculated for sinister purposes. I therefore esteem them suspicious and dangerous

Persons, and have made these remarks in order to apprise Your Excellency in case of their appearance at Camp. The same day Lieut. John Carter having signified by Letter that he consider'd his promotion in Colonel Baylor's Regiment of Horse irregular and injurious to other officers in that Corps and desiring leave therefore to resign his Commission, the House Resolved to accept his resignation;⁴ and also on the same day Congress resolved as will appear by the inclosed Act "that the sentence of the general Court Martial upon Major General Lee be carried into execution."⁵

I have the honor to be &c.

LB: (DNA: PCC, item 13).

¹ JCC, 12:1190-92. See Committee for Foreign Affairs to Washington, October 27, 1778, note.

² See JCC, 12:1188; and Washington, *Writings* (Fitzpatrick), 13:244n.

³ See JCC, 12:866-67, 1192-93.

⁴ JCC, 12:1190.

⁵ JCC, 12:1195. For the delegates' inability to reach a decision on the verdict of Gen. Charles Lee's court-martial for his conduct at the battle of Monmouth, which had been rendered and submitted to Congress in August, see Titus Hosmer to Thomas Mumford, July 6, 1778, note 2.

John Penn to William Woodford

Dear Sir

Philada. Decr 6th. 1778

Yesterday the Sentence against General Lee was confirmed, by a great Majority, only two votes against approving,¹ he has been Complaining of every body, I suppose this will make him outrageous.

It is very uncertain whether the enemy will evacuate New York this Winter, tho' many Gentn. think they will, a considerable number sailed from New York to Augustine, to reinforce the Garrison there.

I expect Congress will in a few days agree on some plan for appreciating the Currency. I have only time to add that I am very Respectfully, Dear Sir, Your obt. Servt.

J Penn

RC (MeHi: Fogg Collection).

¹ Massachusetts and Georgia were the only states that voted against confirming the verdict of Gen. Charles Lee's court-martial, although New Hampshire and Maryland were divided, New Jersey and Virginia did not vote, and Delaware was absent. JCC, 12:1195.

Draft Motions on Silas Deane

[December 7, 1778]¹

7 December, 7 o'clock. That Mr. Deane be desired to attend this

Ho[use] on Friday Evening at 6 oClock & lay before the House a written Accot. of what he has said in his former audiences & wishes to say to Congress.

GM. That Mr. D be called in & informed that if he hath any thing to offer requiring the immediate attention of the House he shall be heard to morrow evening but if not that he do with all convenient speed reduce every thing which he hath to say to writing & that when he is prepared he shall be heard.

MS (SchI: Laurens Papers, no. 48). In the hand of Henry Laurens.

¹ This document apparently consists of two draft motions offered this evening when Silas Deane attended Congress in accordance with the delegates' directive of the fifth. Although Congress had expected that Deane would at this time finally have an opportunity to speak in his behalf, the publication of his address "To the Free and Virtuous Citizens of America" in the *Pennsylvania Packet* on December 5 had radically changed the mood in Congress. He was informed instead that they were not prepared to hear him and that he was to submit his case in writing after all. For the heat generated in Congress upon this occasion, of which there is little indication in the official entry recorded by Secretary Thomson in the journals this date, see Henry Laurens' Speech to Congress, December 9, 1778. See also *JCC*, 12:1200-1201; and Laurens to Deane, December 5, note.

Henry Laurens to William Alexander

My Lord

Philadelphia 7th. December 1778

Yesterday I had the honor of transmitting to Your Lordship two Copies of the Treaties between France & these States, presently after they were gone I discovered something very like an error in the press, which I shall not have opportunity to investigate immediately, mean time I request you will not suffer any of the Copies to go abroad nor from your own custody until you hear again from, Your Lordship's Obliged & obedt. Servant.

Henry Laurens

RC (NNC: Berol Collection).

Henry Laurens to Rawlins Lowndes

Dear Sir

7th December [1778]

By this Sea Conveyance I shall not say much because I think the chance of miscarriage is great, and because I mean to write again in a day or two by a safe hand out of reach of Bachop, if my Packet escapes the Enemy Your Excellency will receive four or five of the latest Newspapers, the most striking Articles in these are General Lee's and Mr. Deane's Letters.¹

The former has made neither Proselytes nor Advocates; the people in Carolina will see at the first glance how open he has laid himself and I am told he will be attacked in every vulnerable part by a Pen which possibly may not hurt his feelings while it displays truth to the World. Congress on Saturday last Resolved that the Sentence of the Court Martial against him be carried into execution, eleven States present, 6 Ayes 2 Nays, 2 divided, and 1 unrepresented—Members 16 Aye, 7 no—1 excused not having the Tryal nor heard the Debates, which deprived New Jersey of representation. I shall send particulars by Land.

Your Excellency will be so good as to recur to my Letter of the 11th August.² What might then have appeared trifling to many People will now be regarded as a well founded and well intended alarm. This Appeal to the people this rash unnecessary appeal I trust will this day be attended to in Congress, but as I am concerned in no intrigue or Cabal I am consequently ignorant of the designs of my fellow labourers. The Honor and interests of these United States call upon every Delegate in Congress for support; if therefore other Men shall be silent, I will deliver my sentiments in this very extraordinary circumstance and I have in prospect the production of much good out of this evil.

Your Excellency will receive among other Papers, Lord Stirling's discoveries of the Enemy's strength of Troops in America. I believe the aggregate much overrated.

The Court of London in August last applied to that of Madrid for a mediation between the former and the Court of Versailles. Spain required an explanation by a specification of terms, and being informed that a revocation of the Duke de Noailles' declaration of March, last would be expected, the King of Spain heard the Proposition with much resentment as being inconsistent with the honor and dignity of his good ally, & therefore an insult upon himself. In September all the Spanish Armaments were in motion, predicting, perhaps only threatening, immediate hostilities.³

I have the Honor to be &c.

H.L.

LB (ScHi: Laurens Papers, no. 16).

¹ Charles Lee's lengthy response to attacks on his "character and conduct on the 28th of June" at the battle of Monmouth, for which he had been court-martialed in August, was printed in the December 3 issue of the *Pennsylvania Packet*. For Silas Deane's letter, see the following entry.

² See Laurens to Lowndes, August 18, 1778, which is a continuation of his August 11 letter. In that letter, Laurens had discussed at length Silas Deane's initial appearance before Congress.

³ Laurens had just learned of the Spanish mediation offer from the French minister, Conrad Alexandre Gérard. For William Ellery's explanation that Gérard was the source of Laurens' information, see Rhode Island Delegates to William Greene, December 8, 1778. See also Meng, *Gérard Despatches*, pp. 409–10, for

Gérard's report to Vergennes on his conversation with Laurens; and Jonathan Dull, *The French Navy and American Independence* (Princeton: Princeton University Press, 1975), pp. 126-43, for a discussion of the involvement of Spain in Anglo-French relations during this period.

Francis Lightfoot Lee to the Public

Philadelphia, December 7, 1778.

To the candid and impartial PUBLIC

Mr. Silas Deane having in his Address, in Mr. Dunlap's last paper,¹ thrown many dishonourable reflections on several persons highly trusted by America, and too far distant to answer for themselves, I think it but justice to those injured characters, to request that you will suspend your judgments, until the matter is fully investigated by those whose immediate business it is, and who are most likely to be possessed of the means to establish the truth, when, no doubt, all the parties will receive their due, whether of reward or punishment, and the public good be secured.

In the mean time I hope you will take a view of the several characters, from the commencement of the present contest with Great-Britain; the part they have acted; what they have sacrificed; and what were their probable prospects; and then I am sure you will agree with me, that the narrative is void of probability, and ought to be supported with much better evidence than insinuations, inuendoes, and bare assertions.

As to the decency of the performance with respect to that Body, to which America must always owe its safety and happiness, I leave it to those whom it may concern. And the real friends to the independency of America will determine on the propriety of such a publication, in the present situation of our affairs. For my own part, I so reverence the Representatives of the People, and have so warm a concern for the public welfare, that I had much rather my nearest connections should suffer a temporary injustice, than offend the one, or in the least injure the other.

I too, most sincerely wish you to be on your guard. Trust not professions; hear both sides, and judge from well attested facts.

FRANCIS LIGHTFOOT LEE ²

MS not found; reprinted from the *Pennsylvania Packet; or the General Advertiser*, December 8, 1778.

¹ Deane's address "To the Free and Virtuous Citizens of America" was printed in the December 5 issue of the *Pennsylvania Packet*. It is more readily accessible in *Deane Papers* (NYHS Colls.), 21 (1888): 66-76.

² Deane's response to this letter, which appeared in the December 10 issue of the *Pennsylvania Packet*, consists of a quotation from Congress' resolve ordering him to "report to Congress in writing," and the following rhetorical statement. "He

[Deane] therefore conceives he cannot with propriety continue his narrative at present: In the mean time he submits it to their ['the free and virtuous Citizens of America'] good sense, Whether he ought to take any notice of a publication signed Francis Lightfoot Lee, opposed to stubborn and undeniable facts." Ibid., p. 78.

Charles Thomson's Notes of Proceedings in Congress

In Congress Decr. 7. 1778¹

Hon W. A. Attlee² being summoned to give evidence respecting the charge against Brigr. W. Thompson, attended & being called in & sworn says

That last Wednesday two weeks Mr. McKean, Mr. Evans and himself were in the Coffee house in the evening. That Mr McKean observing Mr Harnet a member of Congress went up to him. That Mr Harnet mentioned to him that gen Clinton had proposed to exchange the officers of the Convention troops for our officers who are prisoners. That Mr. Bradford the commissary of prisoners came up—that understanding the officers out on parole were ordered into New York he (Mr. Attlee) asked Mr. Bradford if he had a list of the officers out on parole, Mr. Bradford said he had, That they both sat down in the box with Mr. Evans to look over the list, That upon perusing it he saw Genl Thompsons name first on the list—That while he was looking it over Mr. McKean came & sat down, afterwards Col Deane came and sat down—That some of the company seeing genl Thompson in the coffee house said, There is genl Thompson. That Mr McKean called Genl Thompson—That genl Thompson took no notice—That Mr McKean called him again—He then came up—That Col Deane rose and went away and Genl Thompson sat down where Col Deane sat. That Mr McKean mentioned to Genl Thompson what Mr Harnet had mentioned to him about the exchange of prisoners—That Mr McKean seemed to be in good humour when he mentioned this—That genl Thompson flew into a passion—That he cannot recollect the particular expressions of genl Thompson, but thinks genl Thompson either said Congress are a damned set of rascals, or there are a damned set of rascals in Congress, he Mr. Attlee, is not certain which, adding, and you are one in particular. And immediately after mentioned he was more obliged to genl Clinton than to Congress, that he who was taken fighting in the field was not exchanged, while others taken in their bed were exchanged.

Q. Did you hear any mention of a dispute between Mr McKean & Genl Thompson at Carlisle, and at what time did you hear mention made of that affair, was it before or after what you have related.

A. It was in the latter part of the Conversation; After what I have

mentioned. Genl Thompson said Mr McKean had used him ill at Carlisle—that he had attempted to take his servant from him and had sent him a summons.³ Mr McKean said it was not a summons but a polite letter and asked if he had it. Gen Thompson said he had it not and used some coarse expressions.

Q. Did you hear anything about the exchange of govr Franklin for Mr McKinley.

A. The exchange of govr. Franklin for Mr McKinly was mentioned that exchange seemed to give genl. Thompson offence. It was then genl Thompson said He who was taken fighting was not exchanged, while another taken in his bed was exchanged.

Q. Was this before or after the mention of the affair at Carlisle?

A. After this the Carlisle affair was mentioned.

Q. You said you thought genl Thompson either said Congress are a damned set of rascals or there are a damned set of rascals in Congress, Are you sure gen Thompson used either of those expressions?

A. I am not sure But it seems to me he used one or other of those expressions?

Q. Repeated.

A. I think he made use of words to that effect.

Q. When gen Thompson said to Mr. McKean, And you are one in particular Do you think he applied the expression to Mr McKean as a member of Congress.

A. I understood it so.

Q. By Mr McKean. Do you recollect my assigning reasons for my conduct in voting for the exchange of govr. Franklin for president McKinly that it was in the civil line, captain genl for Cap genl and that I was ordered by my state to solicit that exchange?

A. I dont recollect. After the mention of the exchange genl Thompson asked Mr McKean several times, are you a gentlemen. Mr McKean said I am your superior.

Q. Was this before or after the mention of the Carlisle affair?

A. This was before the mention of the affair of Carlisle.

Q. You have said you think gen Thompson either said Congress are a damned set of rascals or there are a damned set of rascals in Congress. These are two very different ideas, which idea did the expression used convey to you?

A. I was struck with the idea that Congress were a damned set of rascals.

Q. Did you hear genl. Thompson say he was more obliged to Gen Clinton than Congress, and at what time or on what occasion?

A. After the expressions I have mentioned, Gen Thompson said he was more obliged to genl Clinton than to Congress.

Q. Did you hear gen Thompson challenge Mr McKean?

A. After saying, And you in particular are one, genl Thompson

two or three times asked Mr McKean are you a gentleman.

Q. What did you think he meant by the question, was it for information?

A. I understood that by asking Are you a gentleman he meant that Mr McKean might give satisfaction as a gentleman.

Q. Did gen Thompson touch Mr McKean when he asked the question?

A. He laid his hand softly on Mr McKean's shoulder.

Q. Was genl Thompson Angry?

A. He appeared Angry during the whole.

Q. Did gen Thompson appear to be in liquor?

A. He did not appear to be in liquor.

Q. Did genl Thompson particularize the cause for which he called Mr McKean a rascal?

A. I don't remember he assigned any particular cause any otherwise than I have mentioned. He said he who was taken fighting was not exchanged while an other taken in his bed was exchanged. And that Congress had used him ill.

Q. Did it appear to you there had been any former animosity between them?

A. I did not imagine there had been any before Mr McKean called general Thompson.

It appeared genl Thompson was angry at some transaction in Congress in which Mr McKean had a part.

Q. Did genl Thompson sit down in the box.

A. Yes & put his hand over & shook hands with me.

Q. Upon the whole did you understand there had been any former misunderstanding or difference between them?

A. I thought gen Thompson's anger proceeded from transactions in Congress and the affair in Carlisle.

Q. When genl Thompson called Mr McKean a rascal had there been any other conversation than about the exchange?

A. I do not recollect any other.

Q. Did you hear Mr McKean use any terms of reproach to genl Thompson and what were those expressions?

A. I do not recollect any other than what I have Mentioned.

MS (DNA: PCC, item 159). In the hand of Charles Thomson. A more cryptic, partially mutilated set of notes taken by Charles Thomson during William A. Atlee's testimony is in PCC, item 159, 1:336-38. Thomson probably relied on these abbreviated notes to produce the fuller account of Atlee's testimony that is printed here. No major differences were found between the two sets of notes. For the continuation of these notes, see Charles Thomson's Notes of Proceedings in Congress, December 23, 1778.

¹ For the previous testimony on Thomas McKean's charges against Gen. William Thompson, see Charles Thomson's Notes of Proceedings in Congress, November 23, 1778.

² William A. Atlee, who was Thomas McKean's companion justice on the Pennsylvania Supreme Court, gave the following testimony to support McKean's charges against Gen. William Thompson. On December 24, Congress put aside both Atlee's testimony and "the deposition of Colonel [George] Noarth" on the grounds that they had "been taken *ex parte*." JCC, 12:1250-53. In legal terminology, *ex parte* means an act done or a proceeding held by one party only. In this instance Congress apparently meant that the testimony was given without General Thompson being present to question Atlee, as there is no mention of Thompson's presence in Charles Thomson's notes. A copy of the motion to put aside the testimony of Atlee and Noarth, in the hand of Henry Laurens, indicates that the motion was offered by James Duane and that the amendment to it was offered by Laurens himself. Laurens Papers, no. 48, ScHi.

For information on Atlee's involvement in a previous incident involving McKean and Thompson, see McKean to the Public, December 30, 1778.

³ Not found, but see McKean to the Public, December 30, 1778.

John Jay to Philip Schuyler

Dear Sir

Philadelphia 8 Decr. 1778

Delayed by several unavoidable Accidents I did not arrive here till Sunday last. I was happy to find your Acquittal confirmed by Congress, and most sincerely congratulate you on that important as well as pleasing Event.¹ What is next to be done? is a Question which I flatter myself you will determine in a Manner most conducive to the Interest of that great Cause of which you have been an able & zealous Advocate. Permit me to hint that in my opinion the army is your proper field—my Reasons for thinking so will occur to You. But should military operations cease during the winter, & your absence become not improper, Your Friends will be happy to see you here. Much ought not to be committed to paper—it is sufficient to say it will be in your Power to render essential Services to your Country in this House.² By no Means think of Resignation. I wont enlarge. God bless you. Believe me to be very sincerely your friend,

John Jay

[P.S.] My best Respects to Mrs. Schuyler.

RC (N: Miscellaneous Manuscripts).

¹ See Henry Laurens to Schuyler, December 4, 1778.

² Jay probably had in mind the New York delegates' plan to elect Schuyler president of Congress—a post filled by Jay himself on December 10. See James Duane to George Clinton, December 10, 1778, note 1.

Henry Laurens to the Massachusetts Council

Sir

8th December 1778.

I had the honor of writing to you the 2nd Instant, since which your favors of the 3d and 13th Ultio. have been presented to Congress and I

am ordered to desire the Council of Massachusetts to comply with the request of the St. Johns' tribe of Indians, by sending them a Priest, as will be seen in the inclosed Act of the 5th Instant for that purpose.¹

I am, Honorable Sir, With very great Respect and Esteem, Your Most Obedient & Most Humble Servant

LB (DNA: PCC, item 13). Addressed: "Jeremiah Powell Esquire, President of the Council of Masachuset."

¹ The Massachusetts Council's November 3 letter to Laurens recommending John Temple "to the Notice of the Honorable Congress," is in PCC, item 65, 1:356-59. *JCC*, 12:1186. For the Council's November 13 letter, conveying a request from the St. John's Indians for a priest, see *JCC*, 12:1189.

Henry Laurens to William Thompson

Sir 8th October [December 1778] ¹

You are directed by Congress to appear at their Hall in the State House on Monday the 21st Instant to answer to the charges brought against you for words spoken to the dishonor of the House, of which you will take due notice. I Am Sir Your Most Obedient Servant.

LB (DNA: PCC, item 13). Addressed: "Brigadier General William Thomson, Carlisle. By Jones."

¹ Although clearly dated "8th October," this letter was doubtless written on December 8. It appears with letters of that date in Laurens' presidential letterbook, and the resolution which the president enclosed to Thompson was one of December 7, 1778. *JCC*, 12:1199. Thompson's December 14 response to Laurens' "Summons," signifying that he would "pay particular attention" to it, is in PCC, item 78, 22:609. See also *JCC*, 12:1227, 1239, 1249-50; and Charles Thomson's Notes of Proceedings in Congress, December 23, 1778.

Henry Laurens to George Washington

Sir. 8th December [1778]

The last Letter which I had the honor of writing to Your Excellency is dated the 6th Instant; in the mean time I have received and presented to Congress your favors of the 4th and 5th, the former is committed to the Board of War.¹

By direction of Congress I now transmit Copy of a Letter of the 23d Ultimo from the honorable Major General Schuyler.² You will be pleased Sir to direct your next Dispatches to the President of Congress, who will not be the subscriber; but in my private Character I shall ever retain that true respect and esteem under which I have so often had the honor of acknowledging myself, Sir, Your Excellency's Most Obedient & Most Humble Servant.³

true notwithstanding we had part of them from Ld. Stirling.¹ This will make us cautious in future.

A few days since Capt. Reed of the Packet Baltimore arrived here after a long passage from Nantz. He brings news that the Brest Fleet had returned after a months cruise. It seems that the French Admiral had sent his compliments to the British Admiral, & told him that he was where he had lately had the honour of some conversations with him, and that he should be glad to see him there again, that after cruising ten days vainly hoping to see him he returned to Port. This we had from good authority. The same Authority, the President, informd me that Mr. Girard had told him, that the British King had desired the King of Spain to mediate a Peace between him and the King of France. Spain replied that she was ready to undertake the office provided She was made acquainted first with the proposals that Britain intended as the ground work of a mediation. This drew from Britain a number of propositions, of which the leading one was, That the King of France should retract the Declaration made the last Winter by the French minister to the Court of London respecting the Independance of these States &c &c. This most extraordinary proposal was received by Spain as a high insult, and in consequence of it every thing in that kingdom was in motion.²

Capt. Reed informed Us that the Fox was taken by a French frigate and carried into France.

The Baltimore last paper says that the Swift Sloop of war in chasing the Rattle snake, a privateer of this place, a shore near Cape Henry, had run aground herself. That the Enemy had burned her and surrender'd themselves to the Crew of the Rattle snake. The Enemy have already lost more ships than they did the last War.

Mr. Harrison Secretary to Genl. Washington in a letter to Congress received yesterday³ says that his Excellency had received intelligence that the Enemy had sent about 50 sail great & small with soldiers on board up Hudson's River with an intention, as was supposed, either to rescue the Convention Troops on their march to Virginia, or to attack the forts in the High-lands; and that Genl. Washington had made dispositions to defeat their Intentions. This is all we can recollect at present. Congress last Winter recommended it to the several States to transmit to them all Acts that they had passed, since the November preceeding, in pursuance of recommendations of Congress.⁴ None have yet come to hand. We should be glad to know what is going in our State, and are with great Respect Your Excellency's most obedit humble Servants,

William Ellery

P.S. The Plan of finance is not yet decided.

RC (R-Ar: Letters to Governors). Written and signed by William Ellery.

¹ See Rhode Island Delegates to William Greene, November 24, 1778.

² See Henry Laurens to Rawlins Lowndes, December 7, 1778, note 3.

³ See Henry Laurens to Washington, this date, note 1.

⁴ For this March 16, 1778, action by Congress, see these *Letters*, 9:313n.2.

Roger Sherman to William Williams

Dear Sir

Philadelphia Decr. 8th. 1778

I received your favor of the 24th of last month and am much obliged to you for the useful information Contained in it. I have disposed of the letter agreeable to Your request, after having well perused it.

We have no important News here either foreign or domestic. We have had accounts from France as late as about the middle of Sepr. The Brest Fleet that Sailed in quest of Admiral Kepple, not meeting with him is returned into Port. Kepple also remains in Port with his Fleet. We have not heard from Count De Estaing Since he Sailed from Boston. I wonder how it happened that Mr. Trumbull did not receive the Letter from the Treasury Board Notifying to him his appointment to the office of Comptroller of the Treasury. I Saw it Sealed up & directed to him. The Board will write again this week.¹

The Committee have not reported a Second time on the late Commissary's Affairs. The present regulation is that the Commissary General of purchases Appoints all the Deputies and Assistants & displaces them at pleasure—and is allowed half per cent for all monies that are expended in that business. The mode of paying Commissions for purchases in that or any other department is generally Supposed to have a tendency to enhance prices, and will probably be altered. Congress has not finished the plan of Finance. I wish I had the Governor's Sentiments on the Subject. I hope public Faith will be preserved, that the Bills will be drawn in by taxes gradually at about the value they were issued so that justice may be done to the people at large—That the lenders on loan office certificates will receive an Equivalent in value to the money lent.

I dont imagine that a Foreign loan will be beneficial further than to answer our engagements abroad, until we can make remittance in Country produce. What we owe & pay Interest for among our selves does not impoverish the States taken collectively—and our own resources I think would be Sufficient if properly applied with good economy. Enclosed are the resolutions respecting the Arrangement of the Army. You mistook my proposal to the govr [abo]ut compound Interest. I did not propose to borrow Money on [tho]se terms. It was only a computation of the present [value] of the Bills of Credit in case they were redeemable in [twe]nty Years, and considered only as notes for money without Interest. The longest period that it is proposed to

borrow money for, is 3 years on Simple Interest, & payable in currency—but the Bills are to be redeemed by taxes within Such a term of time as it can be done without being too burthensome to the people. I should not wish to take any out of circulation by loan were it not to make room for further emissions. If we could disband our army we could easily redeem our Bills.

I am very respectfully, Your humble Servant,

Roger Sherman

RC (MHi: S.A. Green Papers). Addressed: "To The Honorable William Williams Esqr. at Lebanon in Connecticut."

¹ Neither letter from the Board of Treasury to Jonathan Trumbull, Jr., has been found.

William Whipple to John Langdon

Dear Sir,

Philadelphia 8th Dec 1778.

This acknowledges the receipt of your favor of the 16th. It gives me pleasure to hear you have passed a Proscriptive Act.¹ I should be glad to be favored with a copy of it, also of all other proceedings of the Court—but I suppose according to custom I am to be kept in profound ignorance of all public proceedings, though I think, in my present situation, I ought to be particularly informed of every transaction. Count d'Estaing's proclamation will undoubtedly have a good effect.² A packet is arrived from France but brings nothing of importance. She has had a long passage—left Nantz in September—the latest date by her from Paris is 31st August.

Agreeable to your desire I enclose you the latest papers, by which you will find some of the great servants of America have got into a dispute. You remember the old saying—the greatest R—— calls R—— first.³ I am very much mistaken if this adage is not verified in this instance. Adieu, Your friend &c,

Wm Whipple

Tr (DLC: Force Collection).

¹ An act prohibiting the return of selected loyalists had been passed by the New Hampshire Assembly, of which John Langdon was the speaker. *N.H. State Papers*, 8:796, 803, 808, 810–14.

² That is, the comte d'Estaing's Address to the Inhabitants of Canada, which had been read in Congress on December 5. *JCC*, 12:1190.

³ Perhaps "Rascal" or "Rogue." Whipple was referring to the participants in the intensifying Deane-Lee dispute.

William Whipple to Meshech Weare

Sir

Philadelphia 8th Decr. 1778

I had the Honour of receiving your favor of the 6th Ulto with its inclosures, 'tho it did not come to hand till the 1st of this month.

Your Letter to the President has been laid before Congress and is refer'd, with the depositions to the Treasury Board.¹ My best endeavors shall be used for the accomplishment of Your wish in that Business.

I was informed by Col. Ethan Allen (who left this City a few days ago) of the proceedings of the Green Mountain People; that Gentleman promises to use his influence to prevent any farther trouble to New Hampshire from that Quarter. Whether his influence is sufficient to effect the purpose is a matter I can not undertake to decide upon, but by the appearence of so small a Majority in favor of his proposition, I should suppose it at least doubtful. I am rather inclined to think that nothing will effectually settle the dispute but New Hampshires opposing her claim to that of New-York; even if she should afterwards (supposing the decision to be in favor of New Hampshire) agree that the grant on the west side of the River should be a seperate State, because in that case New Hampshire would have it in her power to settle the line to her satisfaction, and perhaps avoid some disagreeable disputes that may otherwise arise.

Mr. Wheelock has been here with a memorial to Congress from those people who withdrew themselves from the Windsor Assembly. After giving it to the President, he met with some discouragements and made application to withdraw it, but I understand was refused by the President. This Memorial has been read in Congress & filed, I shall endeavour to transmit a copy of it by next post, I dont know but Mr. Wheelock is still in this City. I have not had the Pleasure of seeing him; from some perticular circumstances I am led to suppose he avoided me, his reasons for so doing I am unacquainted with.²

A Packet is lately arrived from France but has Brot nothing new having had a long passage, the latest dates by her is 31st Augt.

Intelligence is just received that the Enemy are gone up Hudsons River with fifty transports, their intentions by this Manœuvre at present rests intirely on conjecture, perhaps it may be a feint to cover their retreat, this however is only a conjecture of [my] own and without any real foundation. I wish I may soon have the pleasure of congratulating you on so desirable an event.

I have the Honour to be, with the highest sentiments of Respect,
Sir, Your Most obt & very Huml Servt, Wm. Whipple

RC (Nh-Ar: Weare Papers).

¹ Weare's November 6, 1778, letter to President Laurens transmitting three

requests for compensation for lost or burned continental money was read in Congress on December 2 and referred to the Board of Treasury. Congress accepted the board's negative report on these and several similar memorials on March 9, 1779. See *JCC*, 12:1182-83, 13:299-300; and *PCC*, item 64, fols. 59-65.

² John Wheelock apparently tried to avoid Whipple because Wheelock was in Philadelphia representing a group headed by Joseph Marsh, who insisted on a union between the western towns of New Hampshire and the self-proclaimed state of Vermont. Wheelock had delivered an October 23 letter to Congress from Marsh, written in behalf of the delegates to Vermont's Windsor Convention, who denied Ethan Allen's right to renounce the union of river towns or to represent the New Hampshire Grants at Congress and argued that the New Hampshire Grants on both sides of the Connecticut River were "on the same footing, and ought never to be divided." *PCC*, item 49, fols. 167-69. See also Whipple to Josiah Bartlett, November 30, 1778, note 3.

Samuel Adams to James Warren

Decr. 9. [1778]

The foregoing I had laid aside, & probably should never have forwarded it to you, had not an extraordinary Peice appeared in the last Saturday's paper signd S. Dean, in which he avows himself to be the Author of the Queries I sent you a few Weeks ago.¹ I believe you will find the Plausibility of this Performance, which I shall inclose, to be answerable to a Character I have given you in the Letter above. He "had the Honor to be the Commercial and political Agent of America in Europe." He might have said more justly that he had the Honor of being employd by the secret Committee of Commerce as their Agent, and by the secret Committee of Correspondence as their Intelligencer. Mr. A Lee he says "having by a wanton Display of his Errand, given great & just Cause of Disgust to the Court of Spain, returnd." I will relate to you certain Matters which may explain, if that Court was disgusted with him as Mr. D asserts, how it came to pass Soon after the Secret Committee was appointed, which if I remember rightly was about three years ago, they wrote a Letter to Mr. Lee then in England, requesting a political Correspondence with him, and desiring he would give them the best Intelligence he could, and *pledging* to him their *Confidence*.² Mr. Lee being thus *honord*, in Mr. Dean's Sense, as a *political Agent of America*, and having the solemn Assurance of Confidence and Secrecy, with his usual fidelity & as became him in that Character, proceeded with unsuspecting Frankness to open to the Committee what he thought as well as what he knew of Men and Measures. There was at that time in England a Mr. Carmichael, who is lately arrivd in America & since appointed a Delegate in Congress for the State of Maryland. Mr. Lee had a good Opinion of this young Gentleman; and he being at that time about to return hither by

the Way of France, Mr. Lee thought him a safe hand, and entrusted him with Dispatches to the secret Committee. His Letter was written on the inner Sides of the Outside Leaves of a small pocket Dictionary, and so neatly closd to the Covers as not to afford the least Suspicion if it should meet with the Fate of being taken by the Enemy. Mr. Carmichael took the Dictionary & went over to France where he remaind till his late Embarkation for Portsmouth at which place he arrivd last Summer. In France he met with Mr. Dean. The Letter was opend! Who probably committed this Act, Mr. Dana can inform you as well as I can. To him I refer you. I desire you would ask him & if you please let him know that I desire it of you. He can tell you more than I chuse to trust in writing. I hope you are by this time become confidential with him. But this is Digression. I have seen the Letter. It is dated the 3d of June, '76.³ There are containd in it free Sentiments of the Minister of Spain, but such as a Man of Mr. Lee's Integrity could not withhold from the Committee. Such Intelligence, I must say, being thus pyrated—Such Secrets betryd, Judge who “wantonly displayd his Errand”—and by whose Means the Court of Spain saw Cause to distrust Arthur Lee, if they did distrust him. I say if they did distrust him, because I doubt the Fact. If they restricted him to the City of Burgos, as Mr. Dean says, I rather think it was owing to the Caution of that Court, least she should too early offend the Court of London by giving Countenance to an American Commissioner.

Mr. Dean says, “At this Place (Berlin) he (A. L.) was so unfortunate as to do nothing, unless indeed he may give the Name of Business to the Loss of his Papers,” by which a Discovery was made of the Secrets of his Colleagues & the British Ministry enabled to counteract the Measures taken for the Benefit of America. The Anecdote is this. In Berlin, Mr. Lee being invited and dining abroad, the British Envoy found Means to get his Closet and his Trunk *forcd* open and his Papers were pilferd. But Mr. Lee having Intelligence of it, immediately made Application to the Minister of Berlin and by his Interposition the Papers were returnd; as I am informd in a few Hours.⁴ Mr. Dean designs to hold up my worthy Friend in this Instance as careless of the Secrets of his Colleagues. But what Security is theré against the Rape of the Lock? This indeed is the second Instance of his losing his Papers. The first by the Behaviour of the Person to whom he had regularly committed them, for which I will not now give a Name; and the other by the Theft of a British Minister. If he had been as fortunate in the early discovery of the one as the other, Mr. Dean might allow “the Name of Business” to be given, if not to the Loss of his Papers, to his Activity & Address in recovering them.

It is pleasant to see Mr. Dean indulging his Talent in Insinua-

tion to lead his Readers to conclude that A. L. was secretly intriguing with the British Ministry & thereby embarrassing our Affairs in France. His Acquaintance with the Earl of Shelburne who had formerly been his Patron in England, was the Ground of Suspicion of his disclosing our Secrets; "joynd to his undisguised Hatred & Expressions of Contempt of the french Nation in General."

I have good grounds to be satisfied from a Conversation I have had with a great Man⁵ who ought to be and undoubtedly is perfectly acquainted with the french Court, that Mr. L is thought of there differently from what Mr. Dean would have the People here think of him, and that the Insinuation "that he had given universal Disgust to the Nation whose Assistance we solicited" is void of any just Foundation. But so long ago as "in the Summer of 1777 a Correspondence between a certain Dr. Berkenhout & the Hon Arthur Lee Esq took place."⁶ Aye, and it was "on political Subjects." If Mr. L had left it to be discovered by the Sagacity of others that there was such a Correspondence between him and Dr. Berkenhout & that Dr. B. was in the Confidence of the British Ministry, Mr. Dean might have supposed there were Grounds to suspect Mr. L's Integrity; but unfortunately Mr. Lee told it himself to his Colleagues and related to them a Part of the Correspondence. Mr. D would here insinuate as he did in his Queries that it was a criminal Correspondence. But if it has been, would Mr. Lee have exposd himself to Mr. Dean? The Man whom he conceivd to be his mortal Enemy? Surely not. A wise Minister will endeavor to possess himself of the secret Designs of the publick Enemy. This is done by a Variety of Means. Mr. Lee corresponds with Dr. Berkenhout (as Mr. Dean says) a Confident of the British Ministry. A shortsighted Politician believes or a prejudicd & designing Man insinuates that it is a Criminal Correspondence. If it was so, Why was not Mr. D who knew it in the Summer of 1777, so faithful as to acquaint his Constituents, the Congress, of it? To have done this would have shown the Appearance of Fidelity. He relates a Story & as he says himself "simply" thus. "A Gentleman of Character told me that his Correspondent in England" &c. (See the 3 Collumn of his piece.) Who this Gentleman of Character is, and who the Correspondent in *England*, it was needless to tell us; but we learn that in Mr. D's Opinion a Gentleman of Character *may* have an English Correspondent. This Correspondent informed this Gentleman of Character, and because Mr. Dean tells us so, it is sufficient for us faithfully to believe it and damn Dr. Lee's Character. But I fear I have tired your Patience. Adieu.

¹ Adams had inclosed an article signed by "Querist" in his October 11, 1778, letter to Warren. "Last Saturday's paper" was the December 5 issue of the *Pennsylvania Packet*.

² See these *Letters*, 2:410, 475-76.

³ Arthur Lee's June 3, 1776, letter had been delivered to Charles Thomson by Robert Morris on September 4, 1778, but it was not turned over to the Committee for Foreign Affairs until December 7, 1778. See Joseph Reed to Esther Reed, August 16, 1778, note 1.

⁴ For a discussion of how the British minister to Prussia, Hugh Elliot, obtained copies of Arthur Lee's papers in Berlin, see Louis W. Potts, *Arthur Lee: A Virtuous Revolutionary* (Baton Rouge: Louisiana State University Press, 1981), pp. 175-76.

⁵ Conrad Alexandre Gérard, who was undoubtedly Adams' "great man," reported in his December 12 dispatch to the comte de Vergennes that he had recently met twice with Adams—once with a deputation of delegates and once privately. Gérard explained to Vergennes that he had been pressed to comment on Arthur Lee's standing at the French court but that he had avoided a direct response. He also reported that he had been told by delegates that Congress would have already recalled Lee except for Adams' assurance that Lee was very agreeable to the French king. This misunderstanding, Gérard observed, derived from a conversation Adams had had with him soon after his arrival in America in July. See Meng, *Gérard Despatches*, pp. 421-23.

⁶ For Arthur Lee's relationship with Dr. John Berkenhout, see Richard Henry Lee to William Maxwell, August 29, 1778, note 1.

Samuel Holten's Diary

[December 9, 1778]

9. Wednesday. The honl. Mr. Laurens, the President of Congress resigned the chair as president.¹ Mr. Ellery dind. with us.

MS (MDaAr).

¹ President Laurens' resignation was also similarly described in John Fell's diary for this date. "Honble. Henry Laurens Esqr. Resign'd his Chair as President of Congress." John Fell Diary, DLC.

Henry Laurens' Speech to Congress

Gentlemen

[December 9, 1778]¹

Ever jealous for the dignity of Congress, and prompted by a sense of Duty, I had the honor on Monday of laying before the House, informations which I had received from Citizens of respectable Characters, that a certain Letter, signed S. Deane, and address'd to the Citizens of America at large, published in the *Pennsylvania Packet* of Saturday the 5th Instant, which I presumed every Member had read, had created anxieties in the minds of the good People of this City, and excited tumults amongst them—that having received such information, I had carefully perused the Letter,

and found it to contain Articles highly derogatory to the honor and interests of these United States.

That I could not be suspected of having prejudices, or of being engaged in any intrigue or Cabal against Mr. Deane, since, I could declare upon my honor, that no Gentleman on the floor knew so much of my sentiments respecting Mr. Deane's Public Character, as I had communicated to that Gentleman himself²—that seeing Mr. Deane had made his Appeal to the People, and had intimated a design of giving them a course of Letters, it was evident, he did not mean to depart from America so suddenly as he had lately declared to this House.

That from these considerations, I held it dishonorable to Congress to hear him the following evening, and thereupon I humbly moved the House "to appoint a Committee of three, to consider and report specially upon the contents of the Letter abovementioned—that in the mean time Mr. Deane be informed that Congress will give him further notice when they desire to hear him in the House."

This motion was seconded by many voices—an amendment³ was offered by an honorable Gentleman—"that the Printed Letter be read," which being put to question, passed in the negative by a majority of one State.⁴

I then renew'd my motion, founded upon common fame and my own certain knowledge of the facts—this was over ruled by calling for the Order of the day,⁵ for which a single voice, you know Gentlemen is sufficient, and from that time the motion has remained neglected.

I feel upon this occasion, not for any disappointment to myself, but for the honor and dignity of this House, the great Representative of an infant Empire, upon whose conduct the Eyes of Europe are fixed.

I have, from the moment in which my motion was quashed,⁶ seriously, and almost constantly reflected on the above recited circumstances, and have again attentively considered Mr. Deane's Address to the People.

I see no cause to regret my conduct on Monday, and I am confirmed in my opinion, that the Address contains groundless and unwarrantable insinuations and intimations respecting the conduct of this House.

Mr. Deane had never offered to this House a Narrative in writing of his proceedings in France, in his character of Commercial and Political Agent, nor hath he, even to this day, produced proper Accounts and Vouchers of his expenditure of Public Money.

He was notified on the 3d Instant by your President, that Congress had resolved to take into consideration, as on that evening, "the state of their foreign Affairs"; that such branches as he had been

particularly concerned in, would in due course become subjects of their deliberation.⁷ In a Letter of the 4th "he thanked Congress for that intimation."

In the same Letter he informed them "that he had prepared to leave this City, and had made his arrangements accordingly, which it would not be in his power to dispense with for any time," and yet on the 5th he published an Address "to the free and virtuous Citizens of America," in which he complains "that the Ears of their Representatives had been shut against him," and tacitly promises them a course of Letters.

He informs the Public that he had been sacrificed for the aggrandizement of others.

He charges one of your Commissioners⁸ with such improper conduct in his Public character, as amounts, in my Ideas, to high Crimes.

He avers that the same Commissioner "had been suspected by their best friends abroad, and those in important Characters and stations," although he had given Congress no such information in writing, which he ought to have done, even long before he commenced his Voyage from France.

He insinuates that the same Commissioner had been improperly forced upon him.

He sets up a charge against another of your Commissioners⁹ for a species of speculation and other malversation of conduct, which, if true, it was his duty long ago to have exhibited to Congress.

He arraigns the Justice and the Wisdom of Congress.

He charges and questions the conduct of an honorable Member of this House,¹⁰ out of the House, and holds him up to the Public in a criminal light, which ought not to have been done before he had lodged a complaint in Congress, and had failed of their attention. His publication is a sacrifice of the Peace and good Order of these States to Personal resentments, and so far as it regards Congress, it is groundless and unwarrantable; wherefore, be the remainder false or true, it is, in my humble opinion, a pernicious and unprovoked Libel, affrontive to the Majesty of the People.

I am neither a Volunteer advocate for the private characters stric-turized in Mr. Deane's Paper, nor an Enemy to Mr. Deane. In a word, I view the performance in question as an Act, unbecoming the character of a Public Servant—altogether unnecessary, and tending to excite fears and jealousies in the minds of those free and virtuous Citizens of America, to whom Mr. Deane has addressed himself, and also to draw the conduct of Congress into suspicion and contempt—and I still hold my opinion, that it was the duty of this House to take the Address into consideration before they admitted the Author to a further hearing.

Nevertheless Congress were pleased to adhere to a Resolve passed on Saturday subsequently to the open appearance of that unnecessary and insulting Publication, for hearing him in writing, contrary to a Resolution of the fifteenth day of August last, which was obtained at that time after much debate, by the reasonings and votes of Gentlemen who had interested themselves strongly in his favor, and from motives assigned which cannot be effaced from the remembrance of those Gentlemen who were then present¹¹—and *time* is now given to Mr. Deane for preparing a detail of his transactions, which, if I understand any thing of Public Business ought to have been completed and ready for presentation before he landed on the American Shore.

I feel my own honor, and much more forcibly the honor of the Public deeply wounded by Mr. Deane's Address,¹² and I am persuaded that it will hold out such encouragement to our Enemies to continue their persecution, as will, in its consequences, be more detrimental to our Cause than the loss of a Battle. Mr. Deane has not contented himself with the scope of Dunlap's Newspaper, he has caused his Address to be printed in a thousand Hand Bills—these will afford a sufficient number for penetrating the remotest part of our Union, and enough for the service of our Enemies.

I know that *what I am about to do* will give a transient pleasure to our Enemies, knowledge derived from a circumstance which induced me to continue in this Chair after the 31st of October last,¹³ more strongly induced me than that unanimous request of this House which I was then honored with. There are Gentlemen upon this floor who are well acquainted with the circumstance alluded to¹⁴—but Gentlemen, their satisfaction will indeed be transitory, for I here again solemnly declare, *and they will soon learn it*, that I am determined to continue a faithful and diligent labourer in the Cause of my Country, and at the hazard of Life, fortune, and domestic happiness, to contribute, by every means in my power to the perfect establishment of our Independence.

I shall have less cause to regret the carrying my intended purpose into effect, foreseeing that you may immediately fill with advantage the vacancy which will presently happen.

I shall hold myself particularly answerable to my constituents for my present conduct, and in general to all my fellow Citizens throughout these States, when properly questioned.

Finally, Gentlemen, from the considerations abovementioned, as I cannot consistently with my own honor, nor with utility to my Country, considering the manner in which Business is transacted here,¹⁵ remain any longer in this Chair, I now resign it.

H L.¹⁶

MS (ScHi: Laurens Papers, no. 21). In the hand of Moses Young, and endorsed by him: "Resignation of the President of Congress, as delivered from the Chair the 9th December 1778." MS (ScHi: Laurens Papers, no. 16). In the hand of James Custer. The draft from which Laurens probably read this day has not been found. In addition to the copies cited here, however, a number of others survive which Laurens sent to friends or circulated among colleagues in Philadelphia. A cipher of the copy Laurens gave to Conrad Alexandre Gérard, which the latter enclosed with his December 19 letter to Vergennes, is in the Archives du ministère des affaires étrangères: Correspondance politique, Etats-Unis, 5:113 (see Meng, *Gérard Despatches*, pp. 429-30). Another copy in the hand of Moses Young is in the Alexander Hamilton Papers, DLC, and a copy in the hand of William Whipple is in the collection of Roy C. Kulp of Silverdale, Pa. The speech was first printed in *PMHB* 13 (July 1889): 232-36, from a copy sent to Moravian Bishop John Ettwein in Bethlehem, Pa. Ettwein Papers, PBMCA.

¹ As Laurens delivered this resignation speech immediately after Congress convened this day, "before any business was entered on," he had undoubtedly composed it the previous day. His sudden decision to resign as president had been triggered by Congress' proceedings on December 7 and 8 over Silas Deane's request for a hearing, which Laurens sought to prevent because of the publication of Deane's address "To the Free and Virtuous Citizens of America" in the *Pennsylvania Packet* on December 5, which Laurens deemed "highly derogatory to the honor and interests of these United States." Congress' rejection of this effort on the eighth, which Laurens explained at length in the course of this speech, led almost immediately to his decision to resign, for he had clearly determined to do so before he wrote his December 8 letter to Washington. His impetuosity was doubtless the product of mounting frustration over a number of issues, one of the most important of which was the delegates' recent failure to discipline Gen. William Thompson for his public defamation of Thomas McKean, a failure also denounced by Francis Lightfoot Lee in similar terms. For a discussion of Laurens' resignation, see Laura Page Frech, "The Career of Henry Laurens in the Continental Congress, 1777-79," (Ph.D. diss., University of North Carolina, Chapel Hill, 1972), pp. 355-60. For information on Deane's relations with Congress and his decision to take his case to the public rather than to await a hearing by the delegates, see Laurens' letters to Deane of December 3 and 5; the Draft Motions on Silas Deane, December 7; and Francis Lightfoot Lee to the Public, December 7, 1778. See also Francis Lightfoot Lee to Richard Henry Lee, December 15; and Laurens to Rawlins Lowndes, December 16, 1778.

² Laurens later made two sets of notes designed to clarify or elaborate certain references found in this speech, the first of which contains notes designated "a" through "i"; the second, "a" through "d." These have been printed as two separate entries immediately following this speech, but to prevent confusion they are keyed here with arabic numerals. For the note that he keyed to this passage, see note "a" in the first set of Laurens' Notes on his Resignation, this date.

³ See "b" in the first set of Laurens' notes.

⁴ See "a" in the second set of Laurens' notes. Laurens opened this speech with a discussion of Congress' proceedings of Monday December 7, but the motion and amendment mentioned in this paragraph doubtless were offered on December 8, although there is no mention of them in Secretary Thomson's journal entry this day. In the preceding paragraph Laurens refers to Congress' decision to hear Deane "the following evening," which was December 9. And note "a" designated here states that this amendment failed shortly before 1:00 P.M., while the preceding day's debate on Deane occurred in the evening.

⁵ See "c" in the first set of Laurens' notes.

⁶ At this point are keyed both note "d" in the first set and note "b" in the second set of Laurens' notes.

⁷ At this point six words, in the hand of Henry Laurens, were added: "without any avoidable or unnecessary delay."

⁸ See "e" in the first set of Laurens' notes.

⁹ See "f" in the first set of Laurens' notes.

¹⁰ See "g" in the first set of Laurens' notes.

¹¹ See "h" in the first set of Laurens' notes.

¹² At this point Moses Young inserted an asterisk to which he keyed the following note: "The words from * to the end of that Paragraph were intended, but omitted thro' accident in his Address to Congress, delivered from the Chair."

¹³ See "c" in the second set of Laurens' notes.

¹⁴ See "i" in the first set of Laurens' notes.

¹⁵ See "d" in the second set of Laurens' notes.

¹⁶ The initials were added by Laurens. Two other notes pertaining to Laurens' resignation, also in his hand, are located on the final page of his presidential letterbook, immediately following the last of his presidential letters. They read as follows:

"Resigned for good & sufficient reasons, which were read in Congress from the Chair, 9th December 1778. Henry Laurens."

"10th. Offered to lodge in Congress the paper containing the reasons for resignation above alluded to, & also the Books containing Copies of Official Letters written by me as President, some objections by Mr. Govr. Morris against the first—& the House came to no determination, both therefore remain for the demand of Congress. 10th December 1778. Henry Laurens." PCC, item 13, 2:211.

Henry Laurens' Notes on his Resignation

[December 9, 1778]¹

(a) Mr Deane had in private at his special request related to the President the whole, as he then said of his transactions in his two-fold character of Commercial Agent and Commissioner to the Court of France. When he had finished his conversation of two hours, the President replied, "According to your relation, Sir, and which I will believe, because you have related the whole upon your honor, every thing stands fair on your part, but from my Youth I have in such cases as these been governed by the maxim, *hear the other Party*, therefore you will excuse me for delaying a final opinion. Another thing Mr Deane, *I must say*, for I flatter no Man, I think *you ought to have brought your Accounts*. You could never hope for a better opportunity." N.B. Mr Deane came to Philadelphia in time of profound peace between England and France, in a Convoy of thirteen Ships of the Line—but had left his Accounts behind him in France, as he informed Congress, "in a safe place." About £250,000 Sterling had passed through his hands, or under his direction.

(b) This amendment was artfully offered in order to bring on debate and spin out time, and the mover accomplished his end—it passed in the negative, because every Member had already read the Letter.

(c) This measure had been preconcerted by the Mover of the Amendment above mentioned, who was in the party of Mr. Deane.

(d) In effect quashed by the artful manuevre which had parried and postponed the motion.

(e) Arthur Lee.

(f) William Lee.

(g) Richard Henry Lee.

(h) It had been moved on the 15 August that Mr Deane should render an account of his Mission in writing—this was opposed by *his Party*, who urged that a verbal Narrative would be sufficient, and more likely to discover truth than a formal and studied written Account. Now in December, the same party urged, merely for the purpose of foisting in (as afterwards appeared) much groundless slander and obloquy upon the Messieurs Lee and leave the same upon record.

(i) The Presidents one years service had expired on the 31st October when he gave notice of his determination to resign the Chair on Monday the 2d November—and had requested Congress to think in the mean time of a proper person to succeed him. On the intervening Sunday, one of Rivington's New York Gazettes was shewn to him,² containing a Letter written by somebody, who (after much illiberal abuse upon the Members of Congress in general) speaks in the most favorable and flattering terms of the President and expresses great regret that a Gentleman with whom he had formerly the honor of boasting an acquaintance and friendship, should be sitting at the head of such a Banditti.

This circumstance embarrassed the President—if said he, I adhere to my Saturdays resolution and retire from the Chair on Monday, the Writer of this scurrilous Letter will boast of having gained his point—if I retract, I shall act contrary to my own inclination, contrary to the intended rule laid down in our unfinished Articles of Confederation, and moreover I may be charged with vanity or versatility, or both, I will said he to two confidential friends, let the business take its chance.

When Monday the 2d November arrived, he repeated his motion for choosing a President the Members in general strenuously opposed the motion—at length they held a consultation in a circle, and deputed Mr Samuel Adams to address the President, and to express their full and entire satisfaction with his past conduct, and the unanimous request of Congress that he would continue in the Chair—this circumstance afforded an honorable relief to the President, and induced him for the present to submit to the will of Congress.

¹ It is not known when Laurens wrote these notes, but for an explanation of their purpose, see Laurens' Speech to Congress, this date, note 2.

² See the next entry, note 4.

Henry Laurens' Notes on his Resignation

[December 9, 1778.]¹

(a) Five States, Ay, for reading the printed Letter; six, No; some of the latter as the President has been informed, were influenced by an opinion that it would be waste of time to read what could give them no information, and these intended to vote for a Committee—the question for a Committee was over ruled by management in spinning out time to one o'clock, when a certain Order of the day to be taken up at that hour, and which cannot be postponed but by unanimous consent, was peremptorily called for.

(b) By the device above mentioned.

(c) The President had frequently premonished Congress of his intention to resign the chair on the 31st of October when he should have served in it one whole Year agreeable to the Articles of Confederation; therefore on that day being Saturday he reminded the House of his several former intimations, and humbly intreated them to make choice of some other Member to fill the Chair on the following Monday.²

The House discovered a general disinclination to the measure, and after some (*disinclination*)³ determined against a decisive opinion until Monday. On the intervening Sunday Morning, the first of November, a Newspaper, printed in the Garrison of New York, was put into his hands; and he was pressed to read a Letter published in that Paper by some Person who professed much personal regard for him, founded upon an old acquaintance & friendship, and expressing the Writer's astonishment that such a Man as he described the President to be, should sit at the head of that Banditti (or some term of the same import) the American Congress.⁴

This circumstance embarrassed the President. he had been extremely desirous of quitting the Chair but now became adverse to gratifying the Enemy, who seemed to have thrown the flattering Letter above mentioned in his way as a temptation, he therefore waited in silence till Monday for the final opinion of Congress.

On Monday he repeated his request that the House would proceed to the Choice of a new President; after some conversation and debate, the House were pleased to signify by the voice of a respectable Member, their perfect satisfaction with his whole conduct, and that it was their unanimous request, he would continue to sit as President for some time longer, which the President *then* cheerfully

complied with, and he confesses that he felt some degree of exultation in the thought of having it in his power by an event so honorable to himself, to demonstrate to his *quondam friend in the Garri-son*, that he was not to be captivated by flattery.

(d) Alluding particularly to the manner in which the motion had been quashed, as well as to manners in general, which were well understood (by the Members then present).⁵

MS (ScHi: Laurens Papers, no. 21). In the hand of Moses Young. Endorsed by Laurens: "Notes to reasons for resignation, 9th December 1778." MS (ScHi: Laurens Papers, no. 25). In the hand of Moses Young. Endorsed: "Respecting the Presidents leaving the Chair."

¹ It is not known when Laurens wrote these notes, but for an explanation of their purpose see Laurens' Speech to Congress, this date, note 2.

² See Charles Thomson's Draft Resolution, October 31, 1778; Laurens to Phila-lethes, January 23? 1779; and Laura Page Frech, "The Career of Henry Laurens in the Continental Congress, 1777-79," (Ph.D. diss., University of North Carolina, Chapel Hill, 1972), pp. 349-54.

³ "Deliberation" inserted above the line by Laurens. In the second text Young wrote "expostulation."

⁴ This letter was published in the October 14 issue of James Rivington's *Royal Gazette*. The writer, who signed himself "Verax," pretended an interest in absolving Laurens from responsibility for Congress' "indecent and illiberal answer to Sir Henry Clinton's last letter," for which see Gouverneur Morris to Sir Henry Clinton, October 20, 1778, note 1, and from the imputation that he was "the blackest of incendiaries, and at the bottom of every violent, indecent, and vindictive measure, adopted by that body." "The seats in Congress every one knows are very differently filled," Verax continued, "from what they once were; the men of sense, character and property, have either abandoned that assembly, or have been drove out of it, and their places supplied by the indigent, the worthless, and the desperate. How Mr. Laurens can remain amongst them, is matter of astonishment to all who know him. . . . A false sense of honour I do believe is the only tie by which Mr. Laurens is bound to such a knot of parricides, or his character, his fortune, his love of country, and his affection for his family, would soon separate him from an association so unworthy of him."

⁵ Words in parentheses added by Laurens.

Nathaniel Scudder to Richard Henry Lee

Dear Sir,

Philadelphia Decr. 9th. 1778.

I have not written to you sooner, because in reality I had little of Importance to write. The ancient Motto of "*festina lente*" or that of "*Nil operose agendo*" will yet apply to us with too great Propriety.

The Decision of General Lee's affair was never obtained untill Saturday last, when the Sentence of the Court martial was confirmed by a great Majority. The Sentence respecting General Schuyler is also confirmed, but General St. Clair's yet remains undetermined.

We have unfortunately consumed much Time for some Days past on a Matter of Privilege consequent upon a Charge exhibited against General Thompson for great Abuse given to Congress in General, & personally to the Honble Mr. McKean on Account of the preference shewn to Mr. McKinly in his Exchange for Governor Franklin; and after all it remains yet undecided.

What shall I say as to the great Business of our Finances? I cannot yet determine that I have learned any Thing concerning them, much indeed I have unlearned; for although an amazing Deal of Time has been spent on this important Subject; tho one Hypothesis has been piled upon another like Pelion on Ossa; tho Scheme has been tacked to Scheme, and System succeeded System, while the speculative Genius & playful Fancies of some of our Brethren have again & again in Amendments & a variety of Substitutes exhausted themselves; & finally, when all their pretty wise-drawn Plans were crumbled away in the handling, have often in common Consent assisted to sweep away the rubbish, and begin *de novo*; I say tho we have ranged in this Way the boundless Facts of Finance & with great Labor & Diligence too, I have for my own Part obtained no more than to determine what will *not do* for the Support of our public Credit & the prevention of a general Depreciation. When I shall be happy enough to determine what *will do* Heaven only knows—my Enthusiasm only remains.

Our foreign affairs are in a most deplorable Situation; Mr. Carmichael having taken his Seat in Congress I suppose there is an End to Interrogation with him. Mr. Dean has never yet been heard in Congress since you left us, except an Evening or two ago, when he was before us only a few Minutes to receive Orders from the Chair to deliver in all he had to say in Writing as soon as he thought proper;¹ and in the mean Time that, if he had any Thing very urgent to communicate, he might be heard the Evening following; which then he rather declined, & in fine has not asked—how soon we shall have his written Narration I know not; When it comes I expect it will be interwoven with all those curious Criminations, which, notwithstanding he never even hinted them to Congress, either in his verbal Narration or in any of his subsequent Letters, he has within this few Days in a very extraordinary Manner thrown out to the World through the Channel of a News Paper, which I doubt not you have received.

Thus far I had written in the Morning. I am this Moment come out of Congress, where an extraordinary Event has taken Place—it is this, that President Lawrans has resigned his Seat & to morrow is assigned for a new Election. The Causes of this Occurrence will no

Doubt be given to you by your Brother; Time will not admit of my doing it.

The Enemy have a few Days since made a Movement in Force up Hudson's River. I judge their Object to have been an Interruption of the Convention Troops—in this however they have been disappointed as they were advanced so far as to be out of their Reach—it is said they landed near King's Ferry, burnt a few huts, & returned.

I expect to set out for home some Time tomorrow,² and to return in about a Fortnight—shall be glad of a Line from you by the first convenient Conveyance.

I have the Honor to present my most respectfull Complements to your Lady, Family & Connections, & am, Dear Sir, with Esteem & Sincerity, your Obedt. Hble Servt. Nath. Scudder

RC (PHC: Roberts Collection).

¹ See *JCC*, 12: 1200–1201.

² Scudder's departure is confirmed by his fellow New Jersey delegate, John Fell, who noted in his diary for December 11: "Coll Scudder gone home, State of New Jersey not Represented." John Fell Diary, DLC.

James Duane to George Clinton

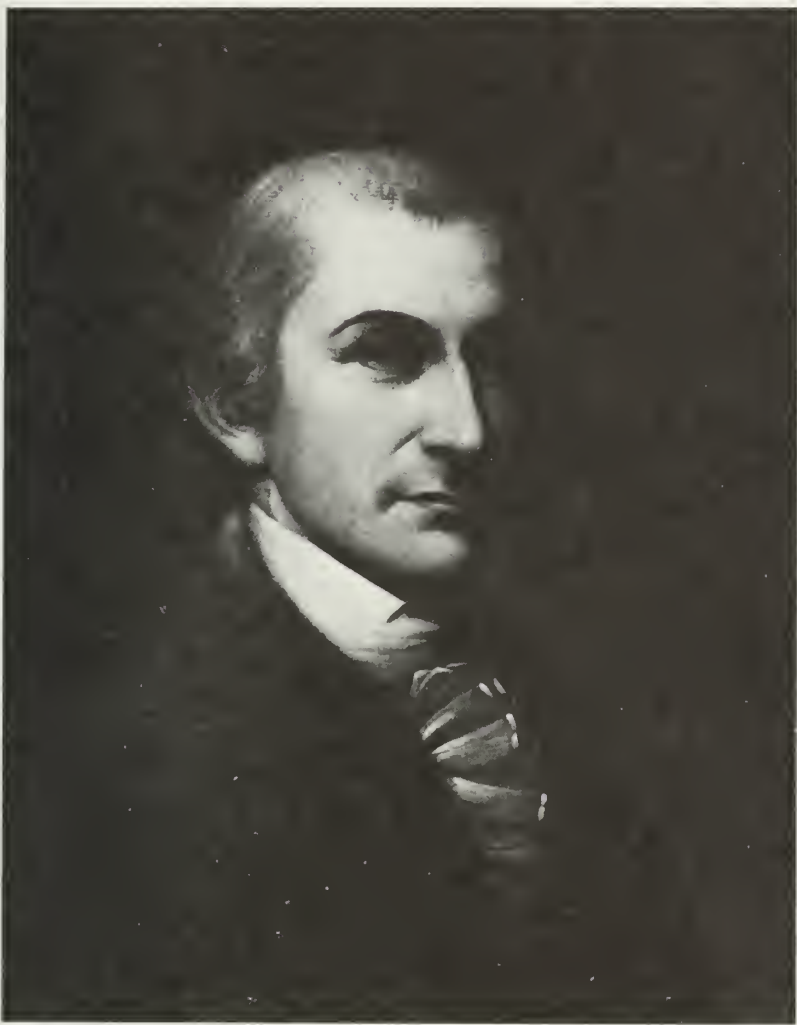
Dear Sir,

Philadelphia, 10th Dec'r, 1778.

Mr. President Laurens, who has been in the Chair 13 months yesterday resigned, sated with honor, and worn down with fatigue. A respect as to the Confederacy had an influence on this measure. You remember this grand instrument of our federal union restrains the same member from serving more than a year at one time.

A great majority of Congress immediately determined that one of the New York Delegates should succeed in the Chair. We held up General Schuyler, which seemed to be very agreeable. On account of his absence, Mr. Jay was prevailed on to take the chair with a resolution on his part to resign in favor of General Schuyler as soon as he attends.¹ I hope we shall be able to contrive the means of his executing the particular commission with which he is intrusted.² On this subject we have not yet conferred any further than to learn to my utter astonishment that he is not possessed of the Maps and papers reported by a Committee of Convention to justify our claims. I entreat your Excellency to forward one of the Maps and a copy of the minutes of the Committee, or rather of their state of the territorial claim of New York.

All the States except Maryland and Delaware have actually signed the Confederacy. New Jersey without waiting for our offer. I fear it will cost me a jaunt to Maryland to prevail on that State to accede; as I am spoken of as one of a Committee for that purpose.³ Disen-



John Jay

gaged as we are from any obligation to New Jersey we propose to hold out the grant of the bounty lands to Maryland. The want of ability to gratify their soldiery is a capital if not the material objection.

I write in a hurry after the fatigues of the day. I write in confidence because I have not time to weigh what I write. Your Excellency I wish to see what passes on every important event.

I am with respectful compliments to Mrs. Clinton, Dear Sir,
Your Excellency's truly affectionate and most obedient servant,
Jas. Duane

Tr (MH-H: Sparks Manuscripts).

¹ For further information on the delegates' expectation that Philip Schuyler would be elected president of Congress, see James Lovell to Horatio Gates, November 3; John Jay to Schuyler, December 8, 1778; Duane to Schuyler, January 3, 1779; and Meng, *Gérard Dispatches*, p. 425.

² New York had charged John Jay with the special mission of securing a favorable settlement of the Vermont controversy. See New York Delegates to George Clinton, December 1, 1778.

³ There is no evidence in the journals that a special committee to solicit Maryland's ratification of the articles of confederation was appointed at this time.

John Fell's Diary

Decr. 10th [1778]

Thursday. Honble John Jay Esqr was Elected President in the Room of Mr. Laurens Resign'd. For Mr Jay 8 States, Mr Laurens 4. Virginia not Represented.¹ Dined with Mr Laurens.

MS (DLC). In the hand of John Fell. This 116 page MS, endorsed "Journal Kept by Judge John Fell—while Member of Congress for the State of New Jersey, 1778," is a clean copy that Fell obviously penned sometime after November 30, 1779, the date of his last entry, apparently from notes or a rough draft of it. No other version of the diary is known to have survived, however. It has been edited by Donald W. Whisenhunt, *Delegate from New Jersey: The Journal of John Fell* (Port Washington, N.Y.: Kennikat Press, 1973), who has also appended a section of "Brief Biographies" of persons mentioned in it for the convenience of those desiring to consult it as a single unit.

¹ The division on the motion to elect Jay president was not recorded in the journals. See *JCC*, 12:1206.

John Jay to George Clinton

Dear Sir,

Philadelphia 10 Dec'r 1778.

Many unavoidable Delays prevented my arrival here till Sunday evening last.

Yesterday Mr. Laurens resigned the Chair, & this morning Congress were pleased to appoint me to succeed him. This Circumstance was unexpected. Let your public Letters be public ones. I mean that public & private matters should not be mixed in the same Letters.

Cominodore Wynkoop's memorial has been presented & committed. You shall have the earliest Intelligence of its Fate.¹

I have heard, tho not from authority, that the Enemy have quitted the River without having accomplished any thing of Importance. God Grant it may be true. We have no Intelligence worth communicating.

The Season for bringing on the affair of Vermont is not yet arrived, nor can I divine what will be the Issue of it. I can only say that my Endeavors shall not be wanting to bring it to a Termination satisfactory to New York. Be pleased to present my best Respects to Mrs. Clinton & believe that I am very sincerely your Friend & serv't,

John Jay.

Reprinted from Clinton, *Papers* (Hastings), 4:360.

¹ Jacobus Wynkoop was seeking compensation for his service as commander of the American flotilla on Lake Champlain in 1776. His September 29, 1778, memorial and an affidavit from Gen. Philip Schuyler, under whose authority he had served, are in PCC, item 41, 10:355-59. On May 4, 1779, Congress adopted the recommendation of the Marine Committee, to whom his memorial was referred, that Wynkoop "be paid sixty dollars per month during the time he was in actual service." See *JCC*, 12:1207, 14:544; and these *Letters*, 3:204n.7, 620-21.

Francis Lightfoot Lee to Arthur Lee

My dear Brother

Philadelphia Decr. 10th 1778

After having been absent since the beginning of June, I arrived here the 7. of Novr. our bro'r having [left] it a fortnight before.¹ I was astonished to find that S. Deane had made so great progress in the Art of intriguing, as to have formed here a very dangerous party who think it necessary to their designs, to remove all the old friends of Liberty and Independance, for which purpose every Lie their invention can furnish, is circulated with the Air of certainty, and the blackest colorings given to Actions in themselves indifferent or accidental. This party is composed of the Tories, all those who have rob'd the public, are now doing it, and those who wish to do it, with many others, whose design, I fear, is of a much more alarming nature, and a few who wish to succeed to Offices abroad. All these together form a very powerfull body. Having prepared the minds of the people, by a number of understrappers, who have been circulating their insinuations and falshoods thro' the Country with great industry; they opened the attack on the 5th inst. with the peice in Dunlaps Paper,²

which you must have seen before this reaches you. The air of importance and confidence which accompanies it and the lavish professions of Love for the people, give it great weight in this City and I dare say, will elsewhere, till the truth comes to be known for they have their dependencies thro' the Continent by means of their new formed commercial Establishments.

I make no doubt you will be astonished when I tell you that Congress has not called him to account for this peice; as at the first glance you must perceive it contains a daring insult to that body, and the greatest injury to the public good. but your wonder will increase, when I assure you, that the part where he complains of the Ears of Congress being shut to him, is an impudent falshood. the fact is, that beside the two Audiences which he had, he wrote them several Letters; in all of which he never mentioned one word of this pretended treachery of yours. every day he might have communicated by Letter whatever he pleased; and some days before his publication, Congress had allotted some part of every day, for their foreign affairs, untill they shou'd get thro' them, of which he had notice.³ The want of a Cypher, prevents my explaining this fully to you. But you may know, that the old Whigs are really struck with amazement at the boldness of this party; and seem willing to let them run on in full security, that they may the easier get to the bottom of their designs and know the whole of their strength. A great man,⁴ appears to me, to give all his influence to this party. I cannot as yet discover what are his intentions. if he really means, mutual Advantage, I think *he is their* dupe, notwithstanding all his sagacity. If he has any sinister designs upon this Country; *they are his* dupes; for I know they are not friends to his State. The first consequence which they expect, is the recall of yourself and our bro'r;⁵ which may perhaps take place. You will therefore see the necessity of sparing neither time, nor pains, to provide yourself with all the means necessary, both for attack and defence. in the mean time, every thing will be done, by your friends, that is in your [their] power to open the Eyes of the people, and set S. Deane in his true light. Mr. C——⁶ acts the same part here, that he did in France. Your old friend D—r⁷ is strong with them, together with the New Yorkers and Maryland. Mr. Lovel no doubt has communicated all our news. We have just heard, that 30,000 ton of Shipping are order'd to be immediately taken up on Government service at New York, and a general embargo laid. This looks like an intention of quitting that place. a few days will determine it. Yours aff'tly,

F. L. L.

Tr (DLC: Burnett Collection). Copied for Edmund C. Burnett, "from the original, then in possession of Mr. Stan. V. Henkels of Philadelphia."

¹ For Richard Henry Lee's departure from Congress on November 3, see his February 11, 1779, letter to Arthur Lee below.

² See Francis Lightfoot Lee to the Public, December 7, 1778, note 1.

³ See Henry Laurens to Silas Deane, December 3, 1778.

⁴ Perhaps Conrad Alexandre Gérard.

⁵ William Lee.

⁶ William Carmichael.

⁷ William Duer.

James Lovell to Richard Henry Lee

Dear Sir


Decr. 10th. 1778

It was not possible for me to acknowledge your favor of Novr. 29th¹ by the same post wch. gave me pleasure of knowing that you & your lovely family were well. Nor will I now particularly notice the subjects you hinted to me. I will rather give you a few Entries of our Journals, and an anecdote of our friend Adams to enable you to read the Prints wth. a proper comprehension of the plotting spirit of some of the chaps who are scribbling therein, and of the serpentine, malicious and elusive course which others have been contriving for themselves since you left us.

Temple came to this City about 10 days ago bringing Letters of high Recommendation both to Congress & to the Delegates of Massachusetts. His Letters were from the Council of our State, Govr. Trumbull, Genl. Washington, Govr. Livingston and the first whigs indisputably of Boston. Mr. Adams conducted Mr. Temple from his Lodgings to the President's to introduce the Delivery of the mentioned Letters. This *single call* at the Door of the man's Lodging is termed to the public "*so frequent in exchange of Visits,*" and probably by the very tall Wisacre who was for constituting a semblance of the french Lieutenancy of police to *fall in with, pimp upon* and otherwise *entrap* all visiting strangers, even so far as to write fictitious Letters and intercept the Answers. But I drop this pitiful subject only remarking that the HINT² in the prints is a good answer to our commendatory Letters, for there was nothing public or private which Mr. T ought not rather to have communicated by Letter than by a visit. I must give you my Key to his whole Proceedings. It is in the Cry of the Preacher "*Vanity of Vanities, all is Vanity.*"

1778 Novr. 30. On Motion

Resolved That Congress meet on Wednesday Evening at 6 o Clock to consider the proceedings of the Courts martial on the Tryals of Majr. Genl. Lee, Majr. Genl. Schuyler & Major Genl. St. Clair.

Decr 1st.  A Letter of Novr. 30th from Silas Deane Esq was read, whereupon, Resolved That, after Tomorrow, Congress will meet two Hours at least each Evening beginning at 6 oClock,

Saturday Evenings excepted, until the present State of our foreign affairs be fully considered.

Decr. 5. A letter of the 4th from Silas Deane Esqr. was read. Ordered that Monday Evening be assigned for hearing Mr. Deane & that he be notified to attend.

Decr. 7th. Resolved that Silas Deane Esqr. report to Congress in Writing as soon as may be his Agency of their affairs in Europe together with any Information which he may judge proper.

That Mr. Deane be informed that if he hath any Thing to communicate to Congress in the Interim, of immediate Importance. he shall be heard Tomorrow Eveng at 6 oC[lock.]

He published on the 5th notwithstanding our Resolve of the 1st upon his Letter of Novr. 30th. It is true he dates Novr. blank to give his Peice the air of precedency but if he *had* really appealed to the Public why write to us on the 30th.

He had made himself a Culprit before our Bar by refusing to answer any Interrogatories "tending to criminate himself." He was the cause of after dating.

I need add no more to you; therefore conclude, your humble Servant affectionately,
Js. Lovell.

RC (PPAmP: Lee Papers).

¹ Richard Henry Lee's November 29 letter to Lovell has not been found, but for a letter that Lee wrote to William Whipple on the same day and that discusses several major congressional concerns, see Whipple to Lee, November 8, 1778, note; and Lee, *Letters* (Ballagh), 1:453-55.

² The article, entitled "A Hint," to which Lovell is alluding, appeared in the *Pennsylvania Packet*, December 8, 1778. For further information on Samuel Adams' relations with John Temple, see Samuel Adams to Elizabeth Adams, December 13, to James Bowdoin, December 19, to John Winthrop, December 21, and to Samuel Cooper and to Charles Chauncey, December 25, 1778.

Gouverneur Morris to George Clinton

Sir,

Phila. 10th Dec'r 1778.

I have the Pleasure to inform your Excellency that the hon'le John Jay Esqr. is elevated to the Chair of Congress, which as well from your Friendship for him, as for Reasons of public Importance will, I am confident, be agreeable to you. The weight of his personal Character contributed as much to his Election as the Respect for the State which hath done and suffered so much or the Regard for its Delegates which is not inconsiderable. The Public will I am confident experience many good consequences from the Exchange. I am respectfully Your Excellency's most obedient & humble Servant. Gouv. Morris.

Samuel Holten's Diary

[December 11, 1778]

11. Friday. Congress spent part of the day on finance. Mr. Elworths dind with us.

MS (MDaAr).

John Jay to Conrad Alexandre Gérard

Sir

Philadelphia 11th December 1778

It gives me Pleasure to have an opportunity, so soon after my appointment to the office with which Congress has been pleased to honor me, of commencing a Correspondence with a Gentleman high in Favor with the Protector of the Rights of Mankind, and endeared to every American by his Friendship for these United States.

The enclosed Act of Congress of the 10th Instt. will I flatter myself meet with your Approbation and I entertain no Doubt but that the Measures it alludes to, will be productive of the most salutary Consequences.¹

Permit me to assure You Sir! That my Endeavours shall not be wanting to give Stability to the Alliance concluded by France and America, and to perpetuate the Harmony and mutual Confidence which at present so happily subsists between them.

I have the Honor to be Sir! With great Respect, Your most obedient & h'ble Servt.

J.J.

LB (DNA: PCC, item 14).

¹ This resolve, declaring "that such continental vessels of war as shall capture any of the enemy's vessels, laded with masts or any other naval stores . . . shall be entitled to the whole of the capture," was adopted in response to a December 6 suggestion from Gérard that a premium be offered to ships so engaged in disrupting British procurement of naval stores. See *JCC*, 12:1198, 1210-11; and *PCC*, item 94, fols. 52, 64-65. See also Marine Committee to Certain States, December 15, 1778.

Henry Laurens to Samuel Huntington

Dear Sir,

Philadelphia 11th December 1778

I am much obliged to you for introducing me to the acquaintance of Mr. Hubbard by your favor of the 23d Ulto. This Gentleman's stay in Philadelphia has been so very short as not to afford me time for shewing him such civilities as would have convinced him of my respect for you.

I am now reliev'd from all duties of that multiplicity of business to which you allude; I had never any ambition to sit in the Chair of Congress & when I had sat one complete Year in it, I urged the House to make a better choice for filling it. The unanimous voice of the Members then present requesting me to continue, added to another circumstance, overbalanced my determination to retire & rendred it necessary that I should bear a little while longer a painful pre-eminence; but the conduct of the House under the overbearing influence of a few Members who act in my opinion an excellent part for the benefit of our Enemies, obliged me to resign on the 9th Inst. I must have been void of all feeling for the honor & dignity of the United States of America as well as for my own if I had not shewn such resentment for the Insults offered to the former, & there were no other means in my power but resignation. I shall read to Capt Hubbard the reasons which were assigned by me, previous to the final Act & if after a few days consideration it shall not appear to be improper I will do myself the honor of sending you a Copy.

With respect to our Paper medium, I can not say we have not labored at the business of mending its Credit, but our labours have hitherto been totally ineffectual. The causes are to me too visible & yet I must acknowledge we have amongst us some very sensible faithful friends; but while these have been at hard pumping to free the Ship, it would seem as if others had been equally industrious in making new leaks, for it is certain there is more Water in the hold now than there was when you left her, & I have my fears that our circumstances will not mend until we suffer some violent convulsion & rouse the slumbering States.

It is with deep grief & concern that I assure you Sir, our case is deplorable, & demands the immediate attention of every honest & faithful friend to our Independance. You will see in the inclosed papers the contempt & disgrace brought upon your Representatives by the unnecessary & insulting publications of Mr. Deane abetted by Men who pretend to have at heart the honor & Interests of the Public. Congress have by neglecting to shew a proper resentment pleaded guilty, the Eyes of Europe are upon us, I need not say to you what the consequences will be unless there shall be an immediate wise interposition.

I am with great Respect & Esteem, Sir, Your obedient & most humble Servant,
Henry Laurens

John Fell's Diary

[December 12, 1778]

12th Saturday. A Number of Petitions & Memorials. A Letter from Genl Washington was read advising that the Enemy had left the North River &c.¹

MS (DLC).

¹ General Washington's December 7 letter is in PCC, item 152, 6:597-98, and Washington, *Writings* (Fitzpatrick), 13:378-79.

Samuel Holten's Diary

[December 12, 1778]

12. Saturday. The comttee. of the whole house on finance reported a no. of resolutions to the house. Colo. Hendley dined with us.

MS (MDaAr).

John Jay to George Washington

Sir Philadelphia 12th December 1778.

Among the various Duties incident to the Appointment with which Congress has been pleased to honor me, that of corresponding with those public Characters whom I most esteem, will be particularly agreeable.

This Consideration, added to those of a public nature, will constantly press my Attention to every Thing which may respect your Excellency; and permit me to assure you of my Endeavour to render the Ease and Honor of your Station and Department equal to the high Obligations America owes You.

By order of Congress I transmit to your Excellency the enclosed Resolution of the 10th Instant.¹

I have the Honor to be, with the greatest Respect & Esteem, your Excellencys most obedt & h'ble Servt.

J.J.

LB (DNA: PCC, item 14).

¹ For the election of Jay as president of Congress, see *JCC*, 12:1206.

James Lovell to John Hancock

Sir Decr. 12th 1778

Your favor of Novr. 4 reached me by the Bearer hereof on the 9th

of this month being, I must remark it, the only Letter you have written intenti[on]ally for my Eye since you left Philada. though I have repeatedly provoked you to it. But, Sir, Mrs. Lovell has been too just to herself & to me to keep back one of your generous Epistles in which I was more than half interested. She has adopted the erroneous Notion that the precise Rules of Grammer and the established Tropes of Rhetoricians are essential to a right performance of that Duty which was incumbent upon her when she was made the Subject of your kind Professions & very liberal Attention. At the same time that she goes into such a mistake by calling for my Aid, she proves to the highest Demonstration by her own Letter that the warm Gratitude of her Heart had elevated her above the Necessity which she supposed she was in. Instead, however, of copying a part of it to prove my Observations, I will consider how much Pleasure you take in the very Acts of Benevolence and Friendship themselves; and I will therefore only give you my plain honest Thanks for your Kindness to my dear Polly in her present Situation; and I will wholly suppress the long Page of just Praise which she has bestowed upon her "generous Benefactor" in her confidential Correspondence with me.

I do not see how I could *here* promote the Wishes of young Mr. Vernon.¹ The Pursers have been put upon a regular Footing, bu[t] the Choice of them for particular Ships depends almost wholly upon the Navy Board who doubtless know this Gentleman, and will take all possible Pains to serve him upon your Recommendation. As to his worthy Father the Representation of Losses by the Enemy is too universal to make his Prospect of Recompence certain. I will never om[it] any Occasion to forward his Views which may occur to me; more especially as you have enjoyed it upon me by your Recommendation. Yr. obliged humb. Servant,

James Lovell

RC (MeHi: Fogg Collection). Endorsed by John Hancock: "James Lovell Decr. 12. 1778."

¹ Apparently the son of William Vernon, for whom see these *Letters*, 8:627n.

William Paca to Thomas Johnson

Dr. Sir.

12 Dc. 1778

I enclose you a few Blank Commissions & Bonds. Congress have lately ordered a new Form for Commissions which will Soon be published and therefore I send a few only of the old.¹ I send you some Instructions. I could not find the President to sign them and the [...] could not wait.

By a Letter from Genl. Washington of the 7th Instant we are in-

formed that Clinton & his Armament have returned back without being able to effect any Thing except burning a House or two at Kings Ferry. The General conjectures that Clinton was misinformed of the Strength of the Highland Forts. Our army are moving into Winter Quarters. Yrs. [. . .],
W Paca

RC (PHi: Etting Collection).

¹ For Congress' adoption on December 11 of "a new form of a commission to officers in the army of the United States," see *JCC*, 12:1211-12.

Samuel Adams to Elizabeth Adams

My dear Betsy.

Philadelphia Decr 13, 1778.

Captn. Johnson will deliver you this Letter, which incloses a Publication in the last Tuesdays Paper. You will easily guess which of the Massachusetts Delegates it is intended for.¹ The Design of it is to represent Mr Temple as a British Emissary and that Delegate as listening to his Proposals of Accommodation with Great Britain, and thus to beget a Suspicion of him in the Mind of the Minister of France, with whom he has the Honor of being on friendly Terms. That Delegate has been so used to the low Arts of Tories in his own Country, as to have learnd long ago to treat them, wherever he sees them, with ineffable Contempt. He does not think it worth his while to satisfy the Curiosity of the Writer, but he can assure his Friends, that he had never called on Mr T but once² and that was to show him the way to Mr President Laurens's House, to whom he had Letters to deliver, one of which was from the Council of Massachusetts Bay. As a Delegate from that State, he could do no less than shew such a Piece of Civility to Mr T, and he is determind, notwithstanding the *apparently* friendly Hint, to treat him as he thinks proper. Indeed he has been told by a *real* Friend, that there are Persons *in Pay* to watch his Words and Actions. He thankd his Friend, and told him that such kind of Intimations were not new to him. It might be well or ill grounded, & he was perfectly indifferent about it. He had a private Conversation a few Days ago with Monsieur _____,³ in which the Subject of the Hint beforementiond was brought up. That *(Minister)* Personage was pleasd to say, that he well knew the Character of the Delegate before his Arrival in America, and that there was no Reason to doubt of his Attachment to the joynt Interest of France & America—that he had sufficient Proofs of it to prevent any ill Impressions being made on his own Mind; with other Expressions of Friendship & Confidence. Between our selves, I can not say I am not embarrassd with Mr Ts Arrival here; He is highly recommended, and I believe him to be an honest American. But the

Time & Manner of his leaving England fix a Suspicion in the Minds of well disposd Men, which cannot easily be removd; and his Residence at the Court of America, if I might so express it, gives bad Men a Sort of Occasion, to say that Congress, notwithstanding all they have publickly given out, are secretly treating with the Ministers of Great Britain through their Emissaries in America, than which Nothing can be more contrary to Truth. I do not care therefore how soon Mr T thinks of returning to New England.

It is diverting enough to hear the different Language held forth concerning me, by a kind of Men whom I despise beyond Expression. In New England they say I am averse to an Accommodation with Great Britain, and make that an Exception against me. In Philadelphia I am chargd, indirectly at least, with a frequent Exchange of Visits with the Companion of Berkenhout, Lord Lindsay, Governor Johnston & the Son of Lord Bute, with a View of secretly bringing about an Accommodation with that King and Nation which I have solemnly abjur'd. What is there which Malice joynd with a small Share of Wit will not suggest! I am not apt to conceal my Sentiments. They are far from being problematical. They are well known here & at Boston; and I can trust my Consistency in the Judgment of every honest and sensible Man that is acquainted with me. The Censure of Fools or Knaves is Applause.

Mr Silas Dean has lately published a Paper here filled with Insinuations and Assertions without any Evidence to support them, against Dr Lee. I have long ago form'd my Opinion of both those Gentlemen and have never yet seen Reason to alter it. I have sent the Paper to my Friend General Warren. I wish you would invite him to a Dish of Tea, and desire him to let you see it and my Letter which inclos'd it. You may read this Letter to him and other Confidential Friends, but don't let it go out of your own Hands.

I never was in better Spirits than at present. My Love to my Daughter, Sister Polly & the Rest of our Family & Friends. Adieu my dear Betsy, Your very affectionate, S.A.

[P.S.] I forgot to tell you that last Friday Mr President Laurens having discharg'd the Duties of his Station for more than one year with Fidelity & to the Acceptance of the Members, resign'd the Chair, and John Jay Esqr a Delegate from New York was chosen in his Room. To this Gentleman I cheerfully gave my Vote.

Mrs Clark and her Sister Miss Daily in whose house the Massachusetts Delegates are agreeably scituated present their respectful Compliments to you.

RC (NN: Adams Papers).

¹ The enclosed "Publication" had appeared in the *Pennsylvania Packet* on December 8 under the heading "A HINT" and was signed "Centinel." In it the

author "recommended to an Honorable Member of Congress, of the State of Massachusetts Bay, who frequently declares himself to be of a *jealous temper*, and that *jealousy is the best security of public liberty*, not to be so frequent & in exchange of visits with J—— T——, Esq; lately arrived in this city, the companion (not to say coadjutor) of the famous Doctor Berkenhout, fellow-passenger to America with Lord Lindsay, and Col. Stewart (*a son of Lord Bute*)."

² Adams probably also had dinner with John Temple and the other Massachusetts delegates on December 2. See Samuel Holten's Diary, December 2, 1778.

³ That is the French minister, Conrad Alexandre Gérard, who in fact did believe that Adams was unfriendly toward France and suspected that Temple and Adams might engage in informal talks on ending the war. For Adams' sensitivity on the issue of his relations with Temple, see Adams to James Bowdoin, December 19, 1778. For Gérard's description of this meeting with Adams, see Meng, *Gérard Despatches*, p. 423; and the Minutes of the French Legation in the United States, December 12, 1778, 2:21, Mason-Franklin Collection, CNY.

Adams had met with Gérard on an official rather than a private matter, however, as a member of a committee consisting of himself, William Henry Drayton, John Jay, Gouverneur Morris, and William Paca, which had been appointed to respond to a December 7 letter to Congress from the French minister. Gérard was concerned that some delegates, particularly Adams, Richard Henry Lee, and William Henry Drayton, still adhered to "the doctrine of the liberty, which it is pretended the United States have preserved, of treating with [*Britain*] separately from their Ally."

Gérard was particularly concerned at the apparent continued refusal of some delegates to recognize the force of Article 8 of the Franco-American treaty of alliance, which explicitly stated that "Neither of the two parties shall conclude either truce or peace with Great Britain, without the formal consent of the other first obtained." William Henry Drayton, for example, had publicly asserted in June, six weeks after Congress had ratified the treaty, that France would not oppose "a separate peace for ourselves, whenever good and advantageous terms were offered to us." And in his December 5 public letter to the "Citizens of America," Silas Deane had charged Richard Henry Lee with maintaining, "constantly and pertinaciously," the doctrine that "America was at liberty to make peace, without consulting her ally."

Actually Gérard had little to fear on this issue, for Congress had uniformly rejected all peace overtures from the Carlisle Commission, and the views expressed by Drayton and Lee were merely statements designed to allay public fears that the alliance with France might work to America's disadvantage. But coupled with what Gérard perceived as official indifference to the behind-the-scene activities of John Berkenhout and John Temple, commonly regarded as British secret agents appointed to prepare the ground for separate negotiations, his sensitivity is easily understood. It was undoubtedly heightened by the fact that Deane's charge against Lee was delivered at the very moment Gérard was attempting to arouse Congress to the threat posed by Temple, with whom Adams was surprisingly friendly.

For further information on this troublesome issue, which was of the utmost concern to Gérard but is curiously missing from the journals and the delegates' correspondence, see William Henry Drayton to the Carlisle Commissioners, June 17, 1778; Richard Henry Lee to William Maxwell, August 29, 1778, note 1; John Fell's Diary, January 14, 1779, note 1; JCC, 11:451, 12:1197-98; PCC, item 94, fols. 56-63; *Deane Papers* (NYHS Colls), 21 (1888): 73; Meng, *Gérard Despatches*, pp. 233, 248-53, 259-60, 369, 406-10, 413-14, 419-23, 430-31, 445-46, 459, 470-71; 475; and Elizabeth S. Kite, "Conrad Alexandre Gérard, Minister to America from Louis XVI of France," *Records of the American Catholic Historical Society of Philadelphia*, 33 (March 1922): 54-91.

John Jay to Horatio Gates

Sir

Philadelphia 13 Decr. 1778

I have the Honor of transmitting to you the enclosed Act of Congress of the 10th Inst. respecting the twelve months Pay allowed to the supernumerary officers.¹

Permit me to assure you Sir! that while I hold the appointment with which Congress has been pleased to honor me, I shall with the greatest Punctuality attend to every Thing which may respect your Department. I have the Honor to be, Sir, Your most obedt. & very hble Servt.

John Jay

RC (NHi: Gates Papers).

¹ Under the provisions of Congress' November 24 resolves for "arranging" the army and settling rank and seniority claims, "all supernumerary officers [*were*] entitled to one year's pay." This December 10 resolution was designed to permit such officers to begin drawing that pay from the regimental paymasters. See *JCC*, 12:1156-57, 1208.

John Fell's Diary

[December 14-15, 1778]

14th. Monday. Letter from Count Polaska Read, referred to the Board of Warr.¹

15th. Tuesday. Dr Wetherspoon came to Congress.

MS (DLC).

¹ In his diary entry this day, Samuel Holten merely commented on the great social event of the day. "There was a grand ball at the city Tavern this evening, given by a number of French Gentlemen of distinction. I had a card sent me but declined attending, I think it is not a proper time to attend balls when our country is in such great distress." MDaAr.

Richard Hutson to John Hancock

Dear Sir,

Philadelphia December 14th. 1778.

I had promised myself the Pleasure of Seeing you and your good Lady long eer this in Philadelphia; but I begin now to despair of having that Satisfaction before the Spring, as the Season I am afraid is too far advanced for Mrs. Hancock to travel. You will no doubt before the receipt of this have heard of the Revolution in our Chair. Mr. Laurens' Resignation was very sudden & unexpected. On Mr. Deane's Publication appearing in the Paper, Mr. Laurens made a Motion to the following effect, "That a Committee of Three might be appointed, to consider and report specially upon the Contents of a



Richard Hutson

printed Letter signed S. Deane which had appeared in Mr. Dunlap's Paper, as it contained in his opinion Articles, highly derogatory to the Honor and Interests of these United States." An Amendment was offered. (Viz.) "That the Printed Letter be read," which being put to the question passed in the Negative, and the original motion was over-ruled by calling for the Order of the Day. I observed that he was greatly chagrined; but did not in the least suspect the consequences. A few mornings afterwards, as soon as Congress was opened, he rose, and after giving us his reasons, which he had committed to [writing] he formally resigned.¹ After recovering a little from the Surprise [. . .] Motion resolved that at 10 o'clock the next Day We should proceed to the Election of a New President when Mr. Jay was chosen by the Vote of Eight States. I am inclined to think that you escaped the painful Pre-eminence by being absent. I send you enclosed the last Paper to which must refer you for other News. My respectful Compliments to Mrs. Hancock, and be assured, Sir that I am, with sincere esteem your very hble Serv.

Richd. Hutson

RC (MB: Chamberlain Collection).

¹ See Henry Laurens' Speech to Congress, December 9, 1778.

William Whipple to Josiah Bartlett

My Dear Sir

Philadelphia 14th Decr 1778

Since you left Congress Messrs Jay & Duane have taken their seats. The first mentioned Gentn. was last Thursday put into the Chair on the resignation of that very worthy Gentn. you left in it. I have so high an opinion of Mr. Laurens that I must confess I exceedingly regreted his leaving the Chair. However, I hope it is again well filled. Mr. Jay is a Gentn. of acknowledged abilities and great application. I have therefore no doubt the Business will be well conducted, so far as it respects the President.

The Business of finance is in considerable forwardness. I hope in a few days more the present System will be finished by Congress & doubt not the States will do their part with Alacrity. The Tax will be very considerable, perhaps 15 or 18,000,000. This seems a large sum, but when we consider the immense sum in Circulation, I cannot think it will be difficult to raise provided it is justly proportioned.

Mr. Wheelock has been here with a number of applications, among which is one for Money for the Indian School. This is not yet determined.¹ Another that Bedel's Regiment might be kept up, this produced an order that the Regiment should be immediately Disbanded.² He Also brought a letter from a Joseph Marsh, a copy of which I have inclosed to Col. Weare. Mr. Wheelock was here some time before I

saw him, & from some circumstances I thought he avoided me, but a day or two ago he favord me with a visit, the principal design of which was to perswade me that his Father was not concerned in the intended revolt of those towns on the River, however, he did not fully satisfy me on that head.

The Enemy have been up Hudson's River with 50 Transports, burnt a few huts near Kings Ferry and returned—it is supposed they expected to find a quantity of provisions there, but they were disappointed. By the last accts from New York they still seem to be preparing to go off, but the Season is so far advanced I cannot think they will go till towards Spring—our Army is going into Winter Quarters.

I have much to say to you about some late publications but time will not permit me at present. I must therefore bid you Adieu. Yours very Sincerely,

Wm. Whipple

P.S. I was a little surprised at a letter from the Council of New-Hampshire recommending Mr. Temple to Congress.³ I cannot recollect any Gentn of that Board who have had an opportunity of being thouroughly acquainted with that Gentlemans Character, surely his having formerly been Lieut Govr of New Hampshire can be no recommendation, there are many anecdotes of him (some of which are well authenticated) that renders Mr Temples Character at least problematical, indeed in some Gentlemens mind, they amount to a conviction of his being a tool of the British Court, more of this hereafter, Yours &c,

WW

RC (PHi: Dreer Collection).

¹ On December 18 Congress granted \$925 "for the use of the said Dr. Eleazar Wheelock." *JCC*, 12:1230.

² See *JCC*, 12:1166; and Whipple to Bartlett, November 30, 1778, note 3.

³ Meshech Weare's November 19, 1778, letter recommending John Temple as a man who "retains the warmest Affection for the Liberties of this his native Country," was read in Congress on December 8 and is in *PCC*, item 64, fol. 66. *JCC*, 12:1201.

William Whipple to Meshech Weare

Sir

Philadelphia Decr. 14th 1778

In my last I mentioned a memorial from the People who withdrew from the Windsor Assembly; on farther inquiry I find myself mistaken in the form of the paper it being a letter from a Mr. Marsh who stiles himself Chairman of a Convention, a copy of this letter I take the liberty to inclose,¹ the paper referred to, in the letter (called the "outlines of a plan for settling all matters in controversy with N. Hampshire"), is in print. I therefore imagine you are possessed of it. What the views of these People are I know not, but I am much

inclined to think the western part of the State will be kept in a perpetual Broil 'till a final settlement of the Jurisdiction. There are three ways of determining this matter, that Country must be under the Jurisdiction of New-York, or New-Hampshire or it must be a seperate State. The People are so exceedingly averse to the first that they never will voluntarily submit to it, and Humanity forbid, that they should be compelled to Unite with a people for whom they have an unextinguishable aversion, arising from the injuries they have suffered, by the most cruel acts of Injustice. Should the last take place, I am very apprehensive that many Towns on the Eastern side of the River will be fond of joining them, by which means New Hampshire will be embroiled in a very disagreeable contention or subscribed to a very small compass, and that limited Territory subject to the discharge of an immense debt, incurred for the defence & protection of the whole. When these matters are fully considered, I think every one who has the Happiness of Mankind, & Peace & Welfare, of New-Hampshire at Heart will be convinced of the propriety of her claiming the jurisdiction. It would be a piece of presumption in me sir, to point out to you, the advantages resulting to New-Hampshire from such an extension of her Territory. They undoubtedly are many & great. The particular situation of affairs in that Country I should suppose calls for the immediate attention of the Legislature, and if it should be determined to Claim, (which my own feeling will not suffer me to doubt) it will certainly be thought necessary to make immediate provision for the support of the Claim; in order thereto I beg leave to suggest the propriety of speedily employing some able Lawyer to collect materials and make himself Master of the subject. New-York are very solicitous for a settlement, that State has sent a Delegate extraordinary to Congress for that purpose,² and I have reason to think Congress will be hard pressed to do something in the matter.

I therefore wish to know the minds of my constituents as soon as possible. Whether they will send another Delegate who may be well acquainted with the business, or will Instruct their Delegates now in Congress, must be left to their decision. I must confess I most heartily wish that the former method may be adopted. I cannot suppose the the expence will be an objection when the Magnitude of object is considered, which is nothing less then doubling the Territory of a Sovereign Independent State.

I have the Honour to be with Sentiments of perfect Esteem & Respect, Sir Your most obt & very Huml Serv, Wm. Whipple

RC (Nh-Ar: Weare Papers).

¹ Joseph Marsh's October 23, 1778, letter to Henry Laurens is discussed further in Whipple to Josiah Bartlett, November 30, note 3, and Whipple to Weare, December 8, 1778, note 2.

² That is John Jay. See James Duane to George Clinton, December 10, 1778.

Committee on Appeals Decree

Decemr. 15th 1778

Thomas Houston, esq. &c app[el]ee } In the Court of
ads. } Commissioners of Appeal for
Gideon Olmsted, &c. App[ellan]ts } the United States of America ¹

At a Court held at the State house, in the City of Philadelphia on the twelfth Day of December in the Year of our Lord one Thousand seven hundred & seventy eight Before the honorable William Henry Drayton, William Ellery, John Henry the Younger and Oliver Ellsworth Esquires Commissioners appointed by the honorable the Congress, to hear, try and determine all Appeals from the Courts of Admiralty of the several American States to Congress, Came the Parties, as well Appellants as Appellees in the above Cause by their respective Advocates and after solemn Argument and full hearing of the said Parties by their said Advocates the said Court took Time to consider thereof and held the same under Advisement untill the fifteenth Day of December aforesaid.

At which Day the said Court being again met proceeded to the Publication of their definitive Sentence or Decree upon the said Appeal which being read and filed is in the Words following to wit—

Thomas Houston Esqr. &c App[ell]ees } Appeal from the Court
ad[versu]s Gideon Olmsted &c. App[ellan]ts } of Admiralty of the
& Claim[an]ts of the Active her Cargo &c. } State of Pennsylvania

We the Commissioners appointed by the honorable Congress of the United States of America to hear, try and determine all Appeals from the Courts of Admiralty of the several States aforesaid to Congress, having heard and fully considered as well all and singular the Matters and Things set forth and contained in the Record and Minute of the Proceedings of the Court aforesaid in the above Cause as the Arguments of the Advocates of the respective Parties in the above Appeal Do thereupon adjudge and decree that the Judgment or Sentence of the Court of Admiralty aforesaid be in all its Parts revoked, reversed and annulled, And we do further decree and adjudge that the Sloop or Vessel called the Active with her Tackle, Apparel and Furniture and the Goods, Wares and Merchandizes laden and found on board her at the Time of her Capture as mentioned in the Claim and Answer of Gideon Olmsted, Artimus White, Aquilla Runsdale and David Clark the Appellants be condemned as lawful Prize to and for the Use and Behoof of them the said Appellants, And that Process issue out of the Court of Admiralty aforesaid commanding the Marshal of the said Court to sell the said Sloop Active and her

Cargo at public Vendue for the highest price that can be gotten for the same and after deducting the Costs and Charges of the Tryal in the said Court of Admiralty and the Expences attending the sale of the said Sloop, &c. that he pay the residue of the Monies arising from the said Sale unto the Appellants aforesaid their Agent or Attorney And we do further adjudge and decree that the Appellees pay unto the Appellants in this Cause the Sum of two hundred and Eighty Dollars for their Costs & Charges by them expended in sustaining and supporting their said Appeal.

Wm. Hy Drayton John Henry
William Ellery O. Ellsworth

MS (DNA: RG 267, case no. 39). In a clerical hand, and signed by Drayton, Ellery, Ellsworth, and Henry.

¹ The case of the sloop *Active*, or *Houston v. Olmsted*, became a focal point in the struggle to define the limits of Continental sovereignty when Pennsylvania refused to accept Congress' authority to reexamine the facts in appeals from the Pennsylvania Court of Admiralty. The case began when Gideon Olmsted and three other Connecticut seamen, who had been captured in the West Indies and put on board the sloop *Active* to help sail it and a cargo of supplies to New York, overpowered the English crew on September 6, 1778, and headed the sloop toward New Jersey. Off the New Jersey coast the sloop was overtaken and "captured" by two Pennsylvania privateers—the *Convention* captained by Thomas Houston and *Le Gerard* commanded by James Josiah. The *Active* was libeled in the Pennsylvania Court of Admiralty by Houston; a counter claim was filed by Olmsted. The state court found for Houston and Josiah. Olmsted then enlisted the support of Gen. Benedict Arnold, the military commander of Philadelphia, and appealed the case to Congress. On November 28 Congress referred the case to the Committee on Appeals, consisting of William Henry Drayton, William Ellery, Oliver Ellsworth, and John Henry, which heard the case on December 12. On December 15 the committee announced the judgment printed here, reversing the state court and awarding the entire sloop and cargo to Olmsted and his companions.

The Pennsylvania Council thereupon sought a reconsideration, partly because the state had outfitted the privateers, and the Pennsylvania admiralty judge, George Ross, refused to execute the decree on the grounds that it violated a September 8, 1778, state law prohibiting appeal or reexamination of facts established by a jury. On December 28 Ross ordered the ship and cargo sold and then defied a January 4, 1779, injunction obtained by Olmsted and Arnold from the Committee on Appeals. Records of the Supreme Court of the United States, Record Group 267, case no. 39, DNA.

On January 19, the Committee on Appeals filed a protest with Congress, demanding that its lines of authority be settled, and two days later Congress appointed a special committee, chaired by Thomas Burke, to define congressional authority on prize appeals. Burke and Pennsylvania President Joseph Reed subsequently engaged in a heated exchange on the subject, but Pennsylvania refused to compromise. Indeed Pennsylvania widened its attack by charging Arnold with the illegal purchase of a half-interest in the suit of Olmsted. After considering the special committee's report, which was submitted on February 2, Congress on March 6 formally reasserted its right to reexamine all questions of fact and law in prize law appeals, regardless of contrary state laws. But Congress was unable and unwilling to impose its authority on a recalcitrant state government, and it was not until 1809 that

Olmsted, contending in the arena of the United States Supreme Court, finally gained the fruits of his appellate victory of December 1778.

For additional information on this celebrated case, see Henry J. Bourguignon, *The First Federal Court: The Federal Appellate Prize Court of the American Revolution, 1775-1787*, Memoirs of the American Philosophical Society, 122 (Philadelphia, 1977), chap. 3; and Gerard W. Gawalt, ed., *The Journal of Gideon Olmsted* (Washington: Library of Congress, 1978). See also Committee of Congress to Joseph Reed, January 26 and 28, 1779; and *JCC*, 12:1168, 13:86-92, 134-37, 183, 252-53, 270-71, 281-86.

James Duane to George Clinton

Dear Sir (private) Philad. 15th Decr. 1778

I wrote your Excellency a few days ago a hasty Scrawl which I intended to Convey by a Man who was going to Albany but who broke his promise to call for my Dispatch—it will be forwarded with this.¹

I have receivd & returnd a Visit from Monsr. Gerard the French Minister. He is by Birth a German but bred to Business at Paris where he has passed thro' the several Offices till he arrivd at that of Secretary of the Council & the present Character of Minister at our Court. He is plain & respectful in his address: attentive to Business, & carries the Air of Candour in all he says & does. Nothing passes which may respect his Court that he does not observe with critical Vigilance. This is what I learn from others: My own Observation will in due time furnish your Excellency with other Anecdotes if any remarkable Occur.

You will see by our papers a ridiculous Squabble between Deane & the Lees. It may amuse a Leisure Hour. Our late honorable President was exceedingly wounded that Deane was not called to Account by Congress & resignd. I was not present: But from what I can discover his Zeal transported him a little Too far. Congress ought certainly to be careful how they attempt to stop the Channell of Communication in a free Country, it may give Rise to dangerous suspicions: if their Conduct is irreprehensible they can suffer no diminution of Dignity: If exceptionable it is right it should be known. Misrepresentation is only to be guarded against & Condemned.

I do not see how our Dispute with the revolted Counties can be taken up to advantage without the Maps & Report of the Committee: which ought in my opinion to be forwarded by the first Opportunity.

I think of nothing material to add.

I am with the utmost Respect, Dear Sir, Your Excellly most obedt & very hl Servant,

Jas. Duane

RC (NH: Duane Papers).

¹ See Duane to Clinton, December 10, 1778.

John Jay to Henry Laurens

Sir,

Philadelphia 15th Decr. 1778¹

As the enclosed Resolution of Congress expresses the high Sense which the Representatives of the United States entertain of the Manner in which you presided in their great Council, it gives me particular Pleasure to have the Honor of transmitting it to You And the more so, as I have Reason to believe it declares the Sentiments not only of Congress but of their Constituents.² I have the Honor to be, Sir, with great Respect & Esteem Your most obedt & hble Servt,

John Jay

RC (ScHi: Laurens Papers, no. 21).

¹ This letter, the document actually received, is clearly dated December 15, although in Jay's presidential letterbook it is dated December 18 and appears in the middle of a series of letters of that date. See PCC, item 14, 1:4.

² JCC, 12:1221. For Laurens' explanation of the maneuvering in Congress that preceded the adoption of this seemingly routine December 15 resolution, see his December 16 letter to Rawlins Lowndes below.

Francis Lightfoot Lee to Richard Henry Lee

My dear Bror.¹

Philadelphia Decr. 15. 1778

I do not wonder at your disgust at the wickedness & folly of mankind. I have so much of the same feelings, that I am sure, there can be no condition in Life more unhappy, than to be engaged in the managemt. of public affairs, with honest intentions. But hard as the lot is it must be borne at least till things have got into a tolerable way. We have had nothing from the party since my last; only that Mr. Wm. Lee's name is in the list of Aldermen, in the Calender for 1778.² I expect an attack in this days paper, upon S. Deane, by Common Sense.³ He knows a good deal of the transactions, & if in earnest, can do a great deal of good. Congress has yet done nothing in finance or foreign affairs. I fear there is a design in some that nothing shall be done, that things may get into such disorder, as to make the people wish for the old Governmt. Congress has no power, & every Villain whome they want to call to account, insults them.

The inclosed Letter from Mr. Laurence, will give you an Account of his resignation & his reasons.⁴ He is really an honest Man, & I hope will do a great deal of Good. Jay is President.

We have Accounts from N. York, that 30,000 ton of Shipping is order'd to be taken up for Governt. service, and an Embargo laid on all Vessels. This looks like a move. Maryland still refuses to confederate, & is going to publish a declaration of their rights & greiv-

ancies, in a very high & violent tone, it is said. I am well informed, that the tories have the upper hand in that Assembly. A striking instance of it, is the tories of Kent County, petitioned to be excused from taking the oath of allegiance as there was still danger of being conquer'd by G. B. and it was negatived by a small majority. So bare-faced have they grown.

Love to Chantilly & Stratford. Compts. to friends. Yrs. afftly.

F. L. Lee

RC (ViU: Lee Family Papers).

¹ Although Edmund C. Burnett designated Arthur Lee as the recipient of this letter, it was written to Richard Henry. Cf. note 4 below; and Burnett, *Letters*, 3:536.

² The fact that William Lee was still listed as an Alderman for Aldgate for 1778 in the *Annual Register* had been noted in an anti-Lee letter that was printed in the December 12 issue of the *Pennsylvania Packet* over the pseudonym "Observer." For evidence that this subject continued to stimulate controversy during succeeding weeks, primarily because of the widely held belief, expressed in the sixth article of the Articles of Confederation, that no United States officeholder should accept "any present, emolument, office or title, of any kind whatever, from any king, prince or foreign state," see *Deane Papers* (NYHS Colls.), 21 (1888): 101, 128, 140-43.

³ The reply of Thomas Paine ("Common Sense") to Deane's address "To the Free and Virtuous Citizens of America" appeared in the December 15 issue of the *Pennsylvania Packet*. See Thomas Paine, *The Complete Writings of Thomas Paine*, ed. Philip S. Foner, 2 vols. (New York: Citadel Press, 1945), 2:97-108. For Paine's plunge into the Deane-Lee controversy, particularly in regard to the potentially adverse impact of his writings on Franco-American relations, see David Freeman Hawke, *Paine* (New York: Harper & Row, 1974), pp. 85-93; and Francis Lightfoot Lee to Richard Henry Lee, January 5, 1779, note 1. Paine's participation in this debate was of special significance because of his position as secretary to the Committee for Foreign Affairs.

⁴ Laurens' letter has not been found, but Richard Henry's December 26 reply to it, reviewing at length the substance of Silas Deane's charges against the Lees, is in Lee, *Letters* (Ballagh), 1:462-67. For Richard Henry's public reply to Deane, which was printed in the January 1, 1779, *Virginia Gazette* (Purdie) and the January 19 *Pennsylvania Packet*, see *ibid.*, pp. 457-62. See also *ibid.*, 1:373-76, 2:1-26, for other documents penned by Richard Henry during his leave at Chantilly at this time (one of which is misdated January 3, 1778, instead of 1779) on the subject of "Deane's execrable libel."

James Lovell to Horatio Gates

Dear General

15 Decr. 1778

Though it is only to avow to you to continuance of my most sincere Regard I will not omit this very sudden opportunity by Doctr. Craigie of taking up my Pen at you, according to the prevailing fashion of this City.

I am only able to give you the reading of Dunlap's Papers through Mr. Hancock as I am stinted to a small Number. From that reading

and conversation with my very honest Cousin the Bearer you will have an insight into some droll Management here and be able to form a tollerable conjecture which of the two are rendering best Services to Gr. Britain the wicked Mr. Temple or the good Mr. Deane. I do not think that the Public will be any Losers by the Time they Spend in viewing a late Commissioner at the Court of France and the present Secretary to the Committee for foreign Affairs tie & untie a few Knots, since the former has been pleased to call up that Species of Diversion.

Best Regards to your Lady & Compliments to your Family from,
Yr Friend & humble Servt. James Lovell

RC (NHi: Gates Papers).

Marine Committee to Certain States

Sir Marine Committee, Philadelphia, Decr 15. 1778

Pursuant to the Direction of Congress and the Request of the Minister Plenipotentiary of France, I have the Honor of transmitting to the Council of Massachusetts Bay a Declaration under the Hand & Seal of that Minister, promising a Reward to every Vessel that shall take or destroy a Vessel of the Enemy loaded with Masts or Spars, and destind to the Ports of Halifax, Newport or New York.¹ It is the particular Desire of the Minister that this Declaration may be addressed to that Honorable Board, to the End that the same may be made known in such a Manner as their Wisdom shall direct.

I am, Sir, Your most Obedient and very humble Servant, by order of the Marine Committee, Samuel Adams Chairman

RC (DLC: J. P. Morgan Collection). Written and signed by Samuel Adams. FC (NN: Adams Papers). In the hand of Samuel Adams. Addressed: "The Honble the President of the Council of Massachusetts Bay, the President of the State of New Hampshire, His Excellency the governor of Connecticut, [Ditto] of Rhode Island & Providence Plantations." Adams also sent the same letter to President Joseph Reed of Pennsylvania on December 17. *Pa. Archives*, 1st ser. 7:120.

¹ According to the minutes of the Pennsylvania Council, the reward promised by the French minister was "Twelve Thousand Dollars." *Pa. Council Minutes*, 11:646. For the inducement provided by Congress to "continental vessels of war" making such captures, which was simply that they "be entitled to the whole of the capture," see John Jay to Conrad Alexandre Gérard, December 11, 1778, note.

William Whipple to Joseph Whipple

My Dear Bror.

Philadelphia 15th Decr. 1778

Since my last I have been favored with Yours of the 15th Ultio. Want of time only prevented my acknowledging the receipt of it per last post. I hope my not writing so often as I wish, will [not] prevent Your writing as often as possible. I find my old correspondants have mostly forgot me. Mr. Martin has favor'd me with a letter for which I am much obliged to him, & my *professed* Friend the Col.¹ has Honoured me with two very short ones about three lines each, these are all I have receivd from Portsmouth since my arrival, except Yours & what I have receivd from Mrs W—— however I shall keep regular accots. and endeavour to discharge my Epistolary Debts with the greatest punctuality. By every accot from York the movements of the Enemy indicate preparations for a removal but no authentic intelligence of their intentions has been receiv'd, indeed the season is so far advanced that it cannot be expected they will go off 'till towards the Spring. I have no doubt of their taking their departure then. Our Army are going into winter Quarters & at the same time every preparation making for the next Campaign. The Currency is the greatest difficulty with us. C—— have been hammering upon a plan of finance ever since I have been here. It is now nearly wrought into form, I hope one week more will fit it to be sent to the several States where it must be finished, this I hope will at least check the growing evil, part of the plan is taxation which I imagine will amount to 15 or 18,000,000 & perhaps a much larger sum taken out of circulation by other methods, however this must not be made public at present as the plan is not compleat and may undergo some alterations. Very large quantities of counterfit money is now circulating, which will make it necessary to call in such of the Emissions as have been most adulterated.

We have had no late accots from Europe but have not the least reason to think but matters are going on well there and Count D'Estaing I hope is working good for us in the West Indies. I hope another Campaign will put us in possession of Canada & Nova Scotia, or rather we shall compel Britain to quit those places, & then no doubt they will be added to the Confederacy. The post ought to have come in to day but I suppose he has been stoped by the weather. I shall be obliged to you for a copy of Your Proscription Act or any other acts that may pass from time to time. Was any notice taken of the recommendation of Congress to make Laws to enable them to call their servants to account? If this is not done I hope it will be soon. I also hope the executive authority will keep a watchful Eye on the Servants of the public especialy those who handle the public money. Many of those Rascals deserve hanging. Please to present my

Regards wherever due and tell those who call themselves my friends
I only wait for an opportunity to answer their letters.

Your most affectionate Bror.

Wm. Whipple

RC (MH-H: Sturgis Papers).

¹ Whipple had acknowledged the receipt of letters from both Cols. John Langdon and Meshech Weare in his December 8 letters to those men.

Connecticut Delegates to Jonathan Trumbull, Sr.

Sir

Philadelphia Decembr. 16th 1778

We take the first Oppertunity by Mr. Sherman now on his return¹ to Acquaint Your Excellency of Our Arrival at this City After a long & Tedious Journey Occasioned partly by bad Weather, frequent Storms and extreme bad roads and some delay by the enemys Shipping being up the North River as far as Kings Ferry.² As Mr. Sherman will be Able to fully Acquaint you with the late material resolutions of Congress & our not being here time Sufficient to Acquaint ourselves with them will excuse our Omission for the present. The letter from Your son who was appointed Comptroller General was delivered & read and Committed.³ There has not yet been time for an Answer, have no doubt they will excuse his Attendance as requested at least till January. I understand his appointment was very Unanimous. Are with most Sincere respect & Esteem, Your Excellencies most Obedt. Hle Servts.

Elipht Dyer

Jesse Root

P.S. Since writing the above a vessel arrived here from Statia & brings private advice that the Britons have taken thirty Vessels from the Dutch, that the latter have demanded immediate Satisfaction & unless granted they will enter into a war with the former, a happy event this if it should prove true.

RC (Ct: Trumbull Papers). In the hand of Eliphalet Dyer, and signed by Dyer and Root.

¹ According to his accounts, Roger Sherman had paid his room and board in Philadelphia until December 17, and charged the state £230 8s specie value for 256 days attendance at Congress from April 14 to December 26, 1778. Roger Sherman's Memoranda Book, DLC.

² Dyer and Root attended Congress on December 15. JCC, 12:1219. They had traveled together to Philadelphia; according to Dyer's accounts he left home on November 27. Eliphalet Dyer Accounts, PPIIn.

³ In a November 30 letter which was referred to the Board of Treasury, Jonathan Trumbull, Jr., had signified his acceptance of his appointment as comptroller, provided his attendance could be dispensed with until January. He left Connecticut for Philadelphia at the end of February 1779. See JCC, 12:1220; and *Trumbull Papers* (MHS Colls.), 2:361.

John Fell's Diary

[December 16, 1778]

16th. Wednesday. Motion from one of the Treasury to take out of Circulation all the Emissions of May 20, 1777 and April 1778. 41 Million 500[000]. 30 Million on Loan and 15 Million by Taxes for the Year 1779.¹ Genl St Clairs acquittal confirm'd. New Jersey divided, Dr Weatherspoon No.

MS (DLC).

¹ For the fiscal resolves Congress adopted this day, see *JCC*, 12:1223-24. The \$41,500,000 Congress voted to withdraw from circulation had been issued as 15 emissions numbered in two series. The emissions of the first series were voted as follows: May 20, 1777, \$5,000,000; August 15, \$1,000,000; November 7, \$1,000,000; December 3, \$1,000,000; January 8, 1778, \$1,000,000; January 22, \$2,000,000; February 16, \$2,000,000; March 5, \$2,000,000; and April 4, \$1,000,000. The second: April 11, 1778, \$5,000,000; April 18, \$500,000; May 22, \$5,000,000; June 20, \$5,000,000; July 30, \$5,000,000; and September 5, \$5,000,000. See *JCC*, 7:373, 8:646, 9:873, 993, 10:28, 82-83, 174-75, 223, 309, 337-38, 365, 11:524, 627, 731-32, 12:884.

For related fiscal remedies under discussion during this period of economic frustration, see also *JCC*, 12:1231-38; Roger Sherman to Jonathan Trumbull, Sr., October 27; Francis Lewis to George Clinton, December 31, 1778; and John Jay to the States, January 10, 1779.

Samuel Holten's Diary

[December 16, 1778]

16. Wednesday. I wrote to Mrs. Holten (no. 34).¹ I was taken in congress in the evening very ill, & for about 10 hours was in the utmost distress, my life much dispaired off.²

MS (MDaAr).

¹ Not found.

² Holten's illness kept him from attending Congress until December 21, when he wrote: "This day I attended in Congress, my health much better." He had recorded his condition on the 17th as "my pain is much abatd. but am very weak," and for the next several days had described himself as "much indisposed" and "very weak." Holten Diary, MDaAr.

Henry Laurens to Congress

Honorable Gentlemen

16th December 1778.

A consciousness of having faithfully discharged my Duty from the Moment Congress were pleased to confer on me the Presidency to my last Act of resigning the Chair, enhances the value of the ac-

knowledgements with which, after mature deliberation, you have been pleased to honor me.¹ The former must be my true support. Your testimonial will transmit honor to my Children.

I intreat you Gentlemen, accept my most grateful thanks & suffer me to repeat that I will persevere in measures for the public good with unabated Ardor.

I have the honor to be, With the highest Respect & under a great sense of obligation, Your faithful friend & obedient humble servant,
Henry Laurens

RC (DNA: PCC, item 89).

¹ For Congress' December 15 resolution of thanks for Laurens' service as president, see *JCC*, 12:1221. Laurens enclosed this letter in the following brief letter of this date to President Jay. "I feel my self under the deepest obligations for the Vote of Thanks which Congress have been pleased to pass in my favor & the condescending terms in which you have conveyed to me the Act of yesterday for that purpose.

"I intreat you Mr. President to return my grateful acknowledgements to the House, expressed in the Inclosed Paper & to be assured that I am with the highest Respect & Esteem, particularly Sir, Your obliged & obedient servant." PCC, item 89, fol. 171.

Henry Laurens to Rawlins Lowndes

Dear Sir

16th December [1778]

The last Letter I had the honor of writing to you is dated the 7th Instant, and went by Sea, therefore I trouble Your Excellency with a duplicate in company with this.

The Gentleman by whom I then had intended to write in a day or two has turned his Face another way, the present is a chance opportunity which affords me but a few minutes for paying my Respects. I must observe brevity and confine myself almost to one subject, and that a bad one, myself.

The Motion which I had the honor of making on the day above mentioned respecting S. Deane's publication will appear in my Act of Resignation transmitted with this;¹ I had antecedently to the appearance of Mr. Deane's insult been exceedingly chagrined by the tame submission of the great Representative of the United States to the most gross affronts. Four or five weeks have passed since proof by the Oaths of four Persons was laid before Congress, that Brigadier General Thomson² had, in the open Coffee House, called Congress a Rascally set and a set of Rascals, and particularly applying the approbrious term to the Chief Justice of this State then present, on Account of a determination in Congress to exchange Governor McKinley for Governor Franklin at the particular request of Delaware,

by which Act Mr Thomson was pleased to think himself injured. He afterwards insulted Congress by an Apologetic Letter, denying that he had called them Rascals, but acknowledging the application of the term Rascal to the Honorable Mr McKean, wantonly adds Villain, and twice repeats that he had said that Gentleman was a Rascal and a Villain, this Letter stands recorded at full length on the Journal, Thomson is voted to be guilty of a breach of Privilege, and there the subject rests. He is in favor with a party who seem determined to support him at the expence of the honor of Congress. Mr. Deane's mischievous publication alarmed me, the House would take no other notice of it, but such as Mr Deane has very improperly display'd to the World in the light of concession. Failing in my attempt to arouse Congress to the vindication of their honor, I felt for my own, and Resolved to descend from the Chair to the floor where I could be of the most real service to my Country. The Act of Resignation must speak for itself. I felt it to be right, and therefore I believed it to be so, but the party of Deanites were pleased to catch at the concluding sentence, which I would not for any consideration have omitted, because I was persuaded good consequences would follow the strong reproof, and perhaps continue at least a fortnight. A friend of mine unsolicited moved the House on the 10th Instant for thanks to the late President. He was jockey'd by "the manner in which business is transacted here" and this repeated daily until Yesterday, when I in modest terms demanded a testimonial of my Conduct, intimating the honor and interests of Congress and the States were as nearly concerned as my own. If I had merited censure I would kiss the Rod, but I could no longer bear to be kept in a state of implied censure, that I held my Act of Resignation to be the best Act of my Life, that if any Gentleman had taken offence at the concluding words, I had to say in Apology, that I did not mean to give the occasion &c &c the particulars of which shall be laid before Your Excellency by the next or some early opportunity. I then retired from the House, and after some debate it was resolved without a division "That the thanks of this House be given to the Honorable Henry Laurens Esquire, late President, for his conduct in the Chair and in the execution of Public Business." This comprehends an acknowledgment of propriety of conduct within doors and without, and an approbation of the late Presidents "sundry reasons" as it is entered on the Journal, for resigning. From this brief sketch Your Excellency will be further impressed with a knowledge of "the manner in which Business is transacted here" and see that my repeated complaints have been well grounded. I hope my Countrymen will approve of my conduct. Now I am releas'd from the Chair, my attention shall be bent to the investigation of the Secret and Commercial Committees Accounts, and to such other Business as comes

within the compass of my abilities forsaking all thoughts of my private Affairs for some time longer.

Mr Deane, notwithstanding his groundless assertions that the Ears of Congress were shut against him, and that he had prepared to return to France and such stuff, is not ready now, at the end of twelve days with his Narrative, and 'tis not impossible that Common Sense has thrown him twelve days further back. I intreat Your Excellency will not believe that I have any improper attachment to the Lees. I am a little of opinion that upon the whole information we shall see an explication of an old proverb, although I am persuaded we shall not "*come by our Right.*"

I am distress'd for want of time to inform Your Excellency more minutely on this and other subjects of importance. I would wish that until I shall be enabled to do so, there may be no publication of what I have now the honor of transmitting. I am, With the highest Respect & Esteem &c.
H.L.³

LB (ScHi: Laurens Papers, no. 16).

¹ See Laurens' Speech to Congress, December 9, 1778.

² At this point an asterisk was inserted to key the following note at the foot of this page of the LB: "See appendix No 1 relative to Gen Thomson." This item is not among the enclosures listed at the end of this letter, for which see the following note.

³ The following list of "Papers inclosed with this" appears at the end of this letter:

"Resignation of the President of Congress.

"Duplicate of the Letter the 7th Inst.

"Copy of a Letter from His Excellency J. Jay Esq President of Congress.

"5 Newspapers from the 5th Instant."

Charles Thomson to Charles Lee

Dear Sir,

Decr 16. 1778.

I had the honour of your two letters requesting a copy of the proceedings of Congress relative to your trial. I shall always deem myself happy in an opportunity of serving you. But if you desire anything more than the resolution confirming the sentence I should be much obliged if you would take the trouble to apply to Congress that I may not incur censure.¹

I am Sir, Your obedt. humble Servt.

Cha. Thomson.

MS not found; reprinted from *Lee Papers* (NYHS Colls.), 6 (1873): 275.

¹ For Lee's December 17 letter to President Jay requesting the minutes of proceedings relative to Congress' confirmation of the sentence of his court-martial, "from which I shall be able to Judge on what principle I have been condemn'd, for at present I am utterly in the dark on this head," see *ibid.*; and PCC, item 158, fol. 129.

John Fell's Diary

Decr. 17th. [1778]

Thursday. Sieur Gerrard, requested to Ship 6000 Casks of Rice, Recommended to the State of So Carolina to allow it;¹ Letter read from Genl Washington at Middle Brook, Relating to the disappointment of the Commissioners, who went to Amboy to meet the British Commissioners to settle an Exchange of Prisoners.² Committee appointed to answer the General, Mr Laurens, Burk, Smith & Morris.³ Motion for Purchasing Horses in Virginia, Postponed to consult with the General. Motion on fineance for the Bills to be cancelld by the first of June, for Weatherspoon, Duane, Geary, Ellsworth, agst. Smith & Burk. Dined with President Jay. Commercial Committee appointed vizt. Mesrs Laurens, Smith, Lewis, Searle and Fell.⁴

MS (DLC).

¹ For Conrad Alexandre Gérard's request to substitute 6,000 barrels of rice for flour to supply the French fleet, see John Jay to Rawlins Lowndes, December 18, 1778.

² For this December 13 letter from Washington to Henry Laurens, see PCC, item 152, 6:601, and Washington, *Writings* (Fitzpatrick), 13:388n.26.

³ Fell omitted Samuel Adams' name from this committee. *JCC*, 12:1227.

⁴ According to Secretary Thomson's journals, the members of the "new Committee of Commerce" were appointed on December 14, the day it was created, but perhaps the members were not actually named until this day. *JCC*, 12:1216-17.

John Fell's Diary

[December 18, 1778]

18th. Fryday. Letter from General Lee, Requesting the minutes of all the Proceedings relating to him;¹ D[itto] from Mr Marlbon Rhode Island, requesting to bring his Effects from Jamaica.²

MS (DLC).

¹ Congress directed Charles Thomson on December 22 to furnish Charles Lee with "such extracts from the journal as relate to the proceedings of the general court martial on his trial, and confirmation of the sentence." See *JCC*, 12:1229-30, 1239.

² The petition of Evan Malbone, both father and son, was referred to a committee, but it does not appear from the journals that any action was taken on it. *JCC*, 12:1229, 13:311.

John Jay to William Livingston

Sir

Pha. 18 Decr. 1778

Be pleased to accept my thanks for your polite Congratulations on my Election to the Office with which Congress has Honord me,¹ & permit me to assure your Excy that while I continue to hold it the greatest Attention will be paid to every Thing which may respect the Govr. of Jersey.

It gives me Pleasure to hear that the military Spirit which has distinguished the Conduct of your militia by Land, begins now to urge them to naval Exertions. The Commission, Instructions & Bonds mentioned in your Excellencys Letter are herewith sent.

I have the Honor to be with great Respt & Esteem, Your Exys most obt. & hble Sevt,
J.J.

P.S. I have advised Brockholst to live with me this Winter, as private Secty for wh. he shall receive abt. 100 Drs. per. Month.²

FC (NNG: Jay Papers). In the hand of John Jay.

¹ Livingston's December 12 letter to Jay congratulating him on his election as president of Congress, is in Livingston, *Papers* (Prince), 2:504-5.

² Henry Brockholst Livingston (1757-1823), the son of William and the brother of Jay's wife Sarah, accepted this offer and served as Jay's personal secretary during the ten months of his presidency and subsequently during his mission to Spain. *Ibid.*, p. 565.

John Jay to Rawlins Lowndes

Sir,

Philadelphia 18th Decr. 1778

I have the Honor of transmitting to you the enclosed Act of Congress of the 16th Inst. It was passed at the Instance of the Minister of France to enable him to purchase & export from your State 6,000 Barrels of Rice for the Use of the French-Fleet.¹

The Middle & Eastern States cannot supply more Wheat this year, than the Inhabitants and Army will consume—New-York, New-Jersey & Pennsylvania have been so much embarrassed & injured by military Operations, as to afford at present but a small Proportion of their usual Supplies. The Crops now in the ground indeed are great & promise plenty the next Season. The wheat in Maryland & Virginia & I may add North-Carolina, has been so destroyed or spoiled by a Fly which infests those Countries that but little Flour & that in general of a bad Quality can be procured there.

For these and other reasons the Congress think the proposed measure expedient—Unless there should be some weighty and at present unforeseen Objection to the Exportation in question, I flatter myself

South-Carolina will chearfully give our Ally this proof of her disposition and determination to sustain & succour Armaments sent by him to defend the American cause.

I have the Honor to be, with great Respect Your Excellency's cellencys most Obedt. & Hble Servt.
J.-J.

LB (DNA: PCC, item 14).

¹ See *JCC*, 12:1221, 1224-25; and PCC, item 94, fols. 68-71. Gérard had endeavored to purchase 18,000 barrels of flour in Virginia, but when informed that no more than 10,000 to 12,000 barrels would be available he sought to make up the difference with South Carolina rice. For the difficulties caused by French efforts to purchase large quantities of flour in Virginia for the French fleet, which twice forced Congress to appoint a committee to confer with Gérard on the subject, see Henry Laurens to Patrick Henry, November 14, 1778, note 3. See also John Fell's Diary, January 21, 1779.

John Jay to George Washington

Sir Philadelphia 18th Decr. 1779 [1778]

Your Excellency's three Letters of the 13th Inst. have been laid before Congress, & the two respecting a certain Expedition & Colonel Fleury are committed.¹

The Idea of an Interview prevails and there is reason to expect that this useful Measure will be adopted.²

I have the Honor of transmitting the inclosed Act of Congress of the 16th Inst.³ & am, with the greatest Respect & Esteem, Your Excellency's most Obedt. & Hble Servt.
J.-J.

LB (DNA: PCC, item 14).

¹ For Washington's three December 13 letters to Congress, see Washington, *Writings* (Fitzpatrick), 13:387-91; PCC, item 152, 6:605-13; John Fell's Diary, December 17, 1778, note 2; and *JCC*, 12:1227.

² In fact "this useful Measure" was adopted this day. Responding to Washington's hint that "a personal conference" might be a more satisfactory mode for discussing the state of the army and plans for the next campaign, Congress resolved that Washington "attend Congress immediately after he shall have put the army in such order as to admit of his absence from it a few days." *JCC*, 12:1230.

³ For Congress' December 16 confirmation of the court-martial verdict acquitting Gen. Arthur St. Clair of neglect in the evacuation of Ticonderoga and Mount Independence in 1777, see *JCC*, 12:1225-26.

Edward Langworthy to William Duer

Dear Sir, Philadelphia, Decr [1]8th. 1778.¹

Being just got to Congress & finding as usual we cannot proceed to business for want of a sufficient Number of States, I have sate down at the Table to scribble & communicate to you a few of my Sentiments.

You have no doubt heard of *the resignation of his Excellency Henry Laurens Esqr*, & of the extraordinary Oration he delivered previous thereto. Mr. Deans publication was particularly aimed at, but notwithstanding the Phantasticability & absurdity of the President, the House were of Opinion there should not be the least restraint on the Liberty of the Press—as for my part I shall rejoice to see more publications on the proceedings of Congress, a little gentle Satyr will be useful on many occasions & will restrain the Spirit of Intrigue & Cabal.² I shall say no more on this subject, until I have the happiness of seeing you, only that there never was a time when I wanted your presence more. My cold is now a good deal better, so that I shall be able to proceed in that business you lately mentioned to me. I should be glad if you would let me have a List of those L—rs you particularly want & will do my endeavour to procure them. I'm sorry we shall in a great measure lose the Oratory of Mr. Jay by placing him in the Chair—he appears to me to be a man of Ability & to have that Ornament of the understanding a lively imagination. I should esteem it a favor that you would mention me to all the Gentlemen that may come from your State, it would give me a real pleasure to assist them in any measures for the public good, & I think you well know that I have no other object in every vote I give. Do you intend to comply with the request of Messrs Telfair & Walton, if you should not, I am apprehensive they will blame me. I should be glad if it will suit you to comply, but if not, you must furnish me with some excuse to my Colleagues.

As Mr. Jay will now have a great deal of business on his hands & perhaps sometimes want the assistance of some friend in the writing way, I should be glad to give him my assistance at any time—you may hint this to him, if you judge proper: tho' it may be unnecessary if he can get a Secretary of competent ability. Excuse this hasty Scroll, & believe me your sincere friend & very humble servant,

Edward Langworthy.

RC (NH: Duer Papers).

¹ Although clearly dated "Decr 8th," this letter was obviously written several days after Henry Laurens had resigned as president of Congress and John Jay had been elected to succeed him—events that occurred on December 9 and 10. It is quite possible that Langworthy simply failed to write the numeral "1" before completing the date "8th. 1778." This supposition seems particularly reasonable because Langworthy opened this letter with the lament "as usual we cannot proceed to business for want of a sufficient Number of States," and the journals indicate that Congress was unable to hold scheduled afternoon sessions on December 15, 17, and 18 for lack of a quorum. See *JCC*, 12:1221, 1229, 1234.

² For evidence that Duer himself was involved in this "Spirit of Intrigue & Cabal"—in his case as a vigorous partisan of Silas Deane—see James Duane to Robert R. Livingston, January 3, note 3; and Henry Laurens to Philaethes, January 23, 1779, note 1.

Samuel Adams to James Bowdoin

My dear Sir

Philade Decr 19th 1778

Mr Temple was so obliging as to deliver me your Letter of the of November.¹ The Day after his Arrival in this City, I offerd him my Service and introduc'd him to Mr President Laurens, to whom he had Letters of high Recommendation, and among others from the Council of Massachusetts Bay. The President read these Letters publicly in Congress. I did not fail to communicate the Contents of those which I was honord with to individual Members. But the Time of his leaving England, his coming in a Packet, the Company which came with him, and the greater Indulgencies granted to him in New York than had been allow'd to others fixed a Suspicion of him in the Minds of well disposd Persons which could not be removd. Those of a different Character took Occasion to insinuate that whatever Congress might give out publicly to the Contrary, they were secretly listening to Terms of Accommodation offerd by the British Ministers through their Emissaries in America. The Minister Plenipotentiary of France could not but be attentive to these Suggestions. In a private Conversation with him at his House the other Day, when no one was present with us, Mr Temples Name was mentiond. He said he knew not his personal Character—he understood that he was well recommended, but as he was under the violent Suspicions of the People here, his Residence so near the Congress might make improper Impressions on the Minds of Persons abroad. It may reasonably be supposd that he is determind to merit the Character at his own Court, of a vigilant & faithful Minister.² Mr Dean who appears to be inimical to my truly patriotick Friend A Lee Esqr has endeavord to raise the like Suspicions of him that he has a predilection for the Court of London because he showed Civilities to his Friend Ld. Shelburne in France. Such is the force of prejudice in the Minds of some Men or their total Want of political Understanding. I was my self, pointedly, though not by Name, called upon in a publick Newspaper, to be cautious of making too frequent Exchanges of Visits with J T Esqr. You know much I have been used to despise Publications of this Kind & I despise them still. But in the present Instance I confess I was embarrassd, being under the Necessity of violating my own Inclination to pay all due Respect to a Gentleman, whose personal Merit I had formerly been acquainted with, and who was so honorably mentioned by some of my most virtuous & dignified fellow Citizens, or on the other hand of prejudicing the Character which as a publick Man I ought to maintain in the Minds of Congress, of the Minister of France and of the People. I have done Mr Temple the most substantial Acts of Friendship in my Power, though I could not have the Pleasure of so much

Conversation with him as I wishd & intended to have. He leaves this City suddenly. I am inclin'd to believe that the President of this State as well as the Chief Justice, with both of whom I have this day had the pleasure of dining, are satisfied in the Uprightness of Mr Temples Intentions. Having given you a candid State of things, I conclude with assuring you that I am with every Sentiment of Regard, Your affectionate Friend & very humble Servant,

Samuel Adams

FC (NN: Adams Papers).

¹ James Bowdoin's November 7 letter to Adams is in *Bowdoin and Temple Papers* (MHS Colls.), 9 (1897): 428.

² Conrad Alexandre Gérard had been concerned over Temple's presence in Philadelphia since the latter's arrival in the city on December 1. Suspected as a British agent, Temple was feared as a possible avenue to Anglo-American peace talks, as a New Englander reflecting the traditional anti-French and anti-Catholic sentiment of the region, and as a friend of Adams and others who were viewed by Gérard as reluctant supporters of the Franco-American alliance. While avoiding charging specific delegates with a lack of zeal for the alliance, Gérard warned President Laurens, during a meeting on December 7, of the danger of keeping alive British hopes of a possible reconciliation, which "the liberty accorded Mr. Temple" might nourish. And in a letter delivered to Congress the same day protesting the claim that the United States had preserved a right to conduct separate peace talks with Britain, Gérard took the opportunity to complain of the presence of "emissaires of London" in Philadelphia.

These and other steps he took to embarrass Congress into forcing Temple to leave Philadelphia Gérard carefully explained in his dispatches to the comte de Vergennes. "As to Mr. Temple," he reported on December 10, "all the delegates have assured me that Congress thinks absolutely as I do regarding this emissary, and upon his presence in Philadelphia, that it is believed to be one of the means employed by Great Britain to scatter seeds of discord and misunderstanding between the United States and France. They affirm that there are not two men in Congress capable of listening to any proposition of Mr. Temple, but the conduct of the state of Massachusetts hindered their action. Several members consulted me upon the best method for getting rid of him; they assured me that the facts asserted by Mr. Deane had so irritated the people of Philadelphia, that a number of the most considerable citizens had offered to have the chief magistrate seize this emissary, and conduct him outside the city limits; that, moreover, all his acts are noted, and that at the least occasion which he may give, they will proceed against him." And when Congress sent a committee (consisting of Adams, William Henry Drayton, John Jay, Gouverneur Morris, and William Paca) to confer with him on his December 7 protest, Gérard reported the results of their conversation on December 12. "They exceeded what I had asked," he explained, "and consulted me on the best method of sending him [Temple] away. I replied that perhaps the best thing would be to regard him from the point of view which he himself had put forth, that of being a good American citizen, and to say to him, that as he had no special business in Philadelphia which could justify his staying there, he would give the best proof of his attachment and zeal for the United States by keeping at a distance from the place where Congress meets. It seemed to me, Mgr., that this idea was calculated to avoid the dangers that were feared. It seemed to me allowable to assure the Committee that no one in Europe doubted that Mr. Temple was an English emissary, furnished with secret instructions." Although two weeks elapsed before Temple was informed that it would be in his best interest to leave the city, Gérard took credit for the result when he reported to Vergennes on

December 25 "that Congress has unanimously adopted my advice." See Meng, *Gérard Despatches*, pp. 406-7, 409-11, 414, 419-20, 429, 432, 444; Elizabeth Kite, "Conrad Alexandre Gerard, Minister to America from Louis XVI of France," *Records of the American Catholic Historical Society* 33 (March 1922): 75-91; and John Fell's Diary, January 14, 1779, note 1.

The maneuvering that preceded Temple's departure from Philadelphia was more complex, however, than Gérard's explanations suggest. On the one hand, public pressure was applied indirectly to delegates such as Adams through the press. And on the other, one Edward Leger, a somewhat mysterious and impecunious former naval lieutenant, who had previously received aid in Paris from Benjamin Franklin, delivered a now missing "paper of information" directly to Congress on December 14 to prod the delegates to action. Although its substance is not known, it achieved the desired result when Congress immediately appointed a committee consisting of William Henry Drayton, James Duane, and Thomas McKean to confer with the president of Pennsylvania, Joseph Reed, for the purpose of "detecting and securing persons of suspicious characters in Philadelphia." See PCC, item 102, 4:57-58; and JCC, 12:1216. Subsequently, McKean and Drayton proceeded to meet with Reed and the Pennsylvania Council's vice-president and secretary, George Bryan and Timothy Matlack, in the company of Temple, the result of which was explained by Reed in the following letter to the Massachusetts Council. Although its date is uncertain, Reed's file copy of it was endorsed "1779, January 2d."

"The very great Respect which I have, both in a publick & private Character, for the Hon. Board at which you preside, as well as Veneration for the State to whose Services & Sufferings America is so much indebted, have induced me to address you by the Hands of the Hon. Mr. Temple, & to state some Particulars, which may elucidate the Conduct pursued by Persons in Authy here with Respect to that Gentleman. As his Views of Business seemed wholly directed to the Hon. Congress, I had only the Favour of a Visit from him, & not being within to receive it, had no Communication of the very honourable Testimonials which he had brought from his native State. The Suspicions & Rumors which circulated very freely for some Time, occasioned a very general Caution & Diffidence, but, I believe, attended with no Act of disrespect; & in this Train Matters would probably have continued without any public Notice of Mr. Temple on the Part of the State. But, on the 14th Inst., a Committee of Congress communicated to me, as President of the State, the enclosed Resolve, stating at the same time that Mr. Temple was considered by that honourable Body as an Object of that Resolve, & requesting me to cooperate with them to carry it into effect.

"In order that it might be done with the greatest Attention to Mr. Temple's Feelings, I sent the Secretary of the Council to wait on him & request his Company at my own House, on the Evening of the 18th. There, two of the Committee, The Hon. Mr. Drayton & Mr. McKean also attended, Mr. Duane declining being present—The Vice President of this State & Secretary being also present: the Gentlemen from Congress entered into a vry free Conference with Mr. Temple with respect to his remaining so long in England, the Circumstances of his Return to this Country, & his Visit to this City; which terminated in an Intimation on their Part that the public Interests would be but advanced by shortening his Residence at the seat of Congress." *Pa. Archives*, 1st ser. 7:138-39.

In the face of such pressures, which were exerted from many directions, Temple apparently left the city for Boston on December 20 and after several months in Massachusetts returned to England in May 1779. Despite the failure of his mission, many American leaders continued to esteem him, and he remained in the good graces of high British officials, who in 1785 appointed him as the first British consul general in New York. See Lewis Einstein, *Divided Loyalties: Americans in England during the War of Independence* (Boston: Houghton Mifflin Co., 1933), chap. 3. See also Adams to Bowdoin, September 3, to Elizabeth Adams, December 13, and to John Winthrop, December 21, 1778.

John Fell's Diary

Decr 19th. [1778]

Saturday. Genl Lee to be furnish'd with all the Proceedings from the Reccords relating to his tryal; Motion to conferr with Gl Washington on ways and means to reduce the Expences of the Army, referd to a Committee of 5. vizt. Laurens, Duane, Geary, Ellsworth, & Smith.¹ Dined with General De Portaille.

MS (DLC).

¹ This committee, which has been designated the Committee of Conference, was appointed this day in response to Washington's suggestion that "a personal conference" with Congress might be useful for planning the 1779 campaign and reaching solutions to several problems confronting the army. See John Jay to Washington, December 18, 1778, note 2. Arriving in Philadelphia the evening of the 22d, Washington was officially received by Congress on December 24 and remained in Philadelphia until February 2 conferring with the committee. A number of letters to Washington from the committee and its chairman James Duane, plus an extract from the minutes of one of their conferences, are printed below under the dates January 9, 10, 11, 24, 25, 28, and 31, 1779.

John Jay to George Clinton

Dear Sir,

Philadelphia 19th Dec'r 1778.

It would give me Pleasure if the Business of Congress did not engross so much of my Time, as that I might daily devote an Hour or two to my Friends. Unfortunately however for me, and I may add for the Public, so it is, that altho the greater Part of our Time is spent in Council, our Dispatch is not proportionate to the Exigency of our affairs, and we experience the Inconvenience of those Delays which invariably attend the Deliberations of public assemblies, assemblies in which men do not always speake to inform themselves or others.

I am happy, however, to inform you that the principal object of my appointment will probably be obtained and I have some Reason to flatter myself that New York will be the better for my coming here. Time however is necessary to prepare for the Introduction of the Business. To precipitate might be to ruin it, and tho I am extremely desirous of returning as soon as possible, my Inclinations shall yield to the public good.

The maps & Papers relative to our Boundaries, which if I remember right, are in the Hands of Mr. R. Yates, together with Copies of all such Letters to Congress &c. as respect Vermont, ought to be sent us without Delay by some trusty messenger.¹ I wish to appear with our whole Strength. My Respects to Mrs. Clinton. I am, dear Sir, your Friend & Serv't,

John Jay.

Reprinted from Clinton, *Papers* (Hastings), 4:405-6.

¹ Jay continued to remain frustrated at Clinton's inability to comply with this request. "I have not yet been able to find the Papers & Maps respecting the Boundaries of this State," Clinton explained in a letter of February 9, 1779. "I fear they were destroyed at Kingston." *Ibid.*, p. 555.

Thomas Burke to Richard Caswell

Dr Sir,

Philadelphia Decr. 20th, 1778

On our arrival here which was on the 9th of this month, we found the City much engaged by a publication which you will find enclosed, and in which Mr Dean has made some very home accusations. We found it had occasioned some little ferment in Congress, and that Mr. Laurens resigned the chair, because they would not take notice of it, as an affront to their dignity, we thought it but prudent to decline going in for a few days until this little fracas was over, leaving those to decide on *punctilios* who had been best acquainted with personal Characters. On our going into Congress we found them engaged principally on finance and that they had spent time in maturing something which we totally disapprove. I will endeavour to give you the general outlines as perfectly as they are yet come to our knowledge.

Two Emissions are to be called out of circulation viz. 20th May 1777, 11th April 1778—on pretence of their being much counterfeited, they are by *Authority of Congress* to be called in by the 1st of June next and not afterwards to be redeemed. They are to be replaced to the proprietors by Loan certificates or New Bills.¹ Our objections are, that Congress by its own authority can not prevent the currency of money which our Laws [made] a legal tender, because that implies a power to suspend or repeal our Laws. That the time is too short for our people so dispersed as they are and so circumstanced as not to be able to receive notice in time sufficient to enable them to bring in their money, that it is not in the power of Congress to declare any Emission of money irredeemable at any certain time, because it implies a power to destroy at pleasure the security which the people have in all the property vested in paper money, that all that should be done is to deny its currency, and leave to the States to enact Laws and fix the times of their operation for that purpose. We were however overruled, and we find that our Country will be subjected to the payment of a heavy debt—borrowed at an exchange of ten for one—and which we must discharge at par, with six percent interest. This debt too is incurred to commercial Individuals, who alone have money to lend, and who have acquired it, by engrossing and extortion. Thus shall we realise fortunes for Individuals, and subject our Country to a debt, which were it not for loans, a little

industry would pay off, but which Loans make heavier than if all we have borrowed, had been gold & silver. I believe this mischief is inevitable, and having long since foreseen it; I always was averse to giving the powers of borrowing and emitting to Congress by the Confederation, a power, which I am persuaded will always be used for purposes partial, and unjust, and either to serve particular States, or Individuals to the prejudice of the whole community. Besides what I have mentioned, a Vote is passed for raising by Tax fifteen millions of dollars²—a sum which I am persuaded is not equal to our abilities; but this simple and unexceptionable mode for sinking the excess of paper Currency is not so much favored in Congress as the intricate, injurious and ineffectual mode of Loans—and the reason is obvious enough—Loans give advantage to the States who have furnished supplies at extravagant prices, and therefore abound with money, by giving them an opportunity of lending at a high interest when money is depreciated two for one, to be paid hereafter when it will be restored to its original value.

As you will see Mr. Harnett, I will not be more particular at present, he can give you a just idea of our expenses. Mr. Hill and myself have paid one Bill for the first two days we were in Town amounting to Forty pounds, and the prices were extravagant, I assure you the Articles were few and moderate. The City is a scene of gaiety and Dissipation, public assemblies every fortnight and private Balls every night, in all such business as this we propose that Mr. Penn shall represent the whole state. We will give you our thoughts on some things to be laid before the Assembly in a separate letter.³ Mr. Hill desires me to present his compliments to you. He will write to you a private letter by the next opportunity. I am Dr. Sir with sincere regard and esteem your Obdt. Servt.

Thos Burke

Tr (Nc-Ar: Governor's Letter Books).

¹ See John Fell's Diary, December 16, 1778.

² JCC, 12:1223.

³ See North Carolina Delegates to Caswell, December 22, 1778.

John Fell's Diary

[December 20, 1778]

20th. Sunday. Commercial Committee met at Mr. Laurens, agreed to meet tomorrow morning at 9. oClock to choose a Secretary.

MS (DLC).

Samuel Adams to John Winthrop

My Dear Sir

Philad Decr 21 1778

Your obliging Letter of the of November was deliverd to me my Mr. Temple immediately after his Arrival here.¹ I must candidly confess that when that Gentleman informd me by his Letter dated in New York, of his Intention then to pay a Visit to this City, I was disagreeably impressd with it, and interrested my self, as far as I could do it with Decency, to prevent it. A certain Dr Berkenhout was here at that Time. He had formerly been a fellow Student with Dr Lee in Edinburgh; and although he brought no Letters from him, he made an Advantage of the old Connection, and addressd himself to Richard Henry Lee Esqr, the Doctors Brother & a Member of Congress, who from the Begining of our Contest has been exceedingly obnoxious to our Enemies from his firm & invariable Attachment to our Cause. Dr Berkenhout was put into Prison by the Authority of this State on Suspicion, and afterwards dischargd for Want of Evidence against him. Perhaps he sufferd the more, from a certain Set of Men for valueing himself on Colo Lee; and the Colo himself has since sufferd the Reproach of an angry Writer and disappointed Man, for shewing Civility to a Person who was once acquainted with his Brother. So true is the Observation I have somewhere met with, that a Man hardly ever speaks with another, but sooner or later he finds that he has receivd Good or Harm from it.

Had Mr Temple arrivd at that Juncture, I do verily believe he would have shared the Fate of Berkenhout. And the Testimonials he has since brought with him, added to the warm Recommendations of some of my most virtuous and honorable Fellow Citizens have not been sufficient to obtain for him a welcome Reception. The Time & Manner of his leaving England, the Company he came with and the favorable Treatment he met with in New York, were judgd to be Grounds of Suspicion which more than balanced the Recommendations of his Friends & Countrymen, who, though acknowledgd to be very respectable, it was supposd, might possibly be partial in their Judgments of him. His Connections in Boston, & the Character he had sustaind there before he left that Place, it was said, made him the fittest Instrument to carry into Effect the Purposes of the British Ministers. The honest and zealous Whigs clamord against him because they imagind him to be a British Emissary; and the artful Tories, who would cordially receive such a Character into the Bosom of their Councils, if they could be sure of keeping him among themselves, joynd in the Clamor, either because they believd him to be a true American, or, if they judgd him to be a Spy, as they pretended, they did not chuse to trust him in the Hands of those who might possibly draw from him the Secrets of his Employers and detect him.

The Tories appeard to be the most acute Politicians, as in my Opinion, I am sorry to say it, they too often are. Thus Mr T has had the Misfortune to be spoken ill of both by the Friends and Enemies of the Publick. A very grievous Misfortune, when the People scrutinize and decide upon Characters with Candor & Moderation, which perhaps does not take Place at all Times in any Country.

I have shown Mr. Temple the most substantial Acts of Friendship in my Power; yet I must own to you I have been somewhat embarrassed. A Delegate of the Massachusetts Bay who has been heard to say that "Jealousy is the best Security of publick Liberty," has been called upon in a publick News Paper "to be cautious of too frequently exchanging Visits with J T Esqr who is suspected to be a Spy" &c. I have no Reason to think it was a friendly Caution; but rather that it was designd to bring an odious Suspicion on the Delegate himself. But though he feels a Contempt of such Kind of Publications, he has learnd that it is Wisdom to receive Instruction even from an Enemy. I have said that Jealousy is the best Security of publick Liberty. I have expressd my Fears that America is too unsuspecting long to preserve Republican Liberty. I do not suspect Mr Temple; but I have been under the Necessity of violating my own Inclination to pay every kind of Respect due to that Gentleman, or risque the *consistent* Character which a Delegate of that State ought to support in the Opinion of Congress, of the Minister of France and the People of America. I have conversed with that Minister on this Occasion; and I have Reason to think we concur in opinion, that however pure the Views & Intentions of any Gentleman may be, yet if a Suspicion generally prevails that he is secretly employed by the British Court his continuing to reside near the Congress may make improper Impressions on the Minds of our Friends abroad. Mr Temple left this City yesterday.

I congratulate you my dear Sir on our Countrys having thus far sustained the glorious Conflict. Our Independence, I think, is secured. Whether America shall long preserve her Freedom or not, will depend on her Virtue.

I cannot conclude this tedious Epistle without expressing an ardent wish for the full recovery of your Health and bespeaking another & another of your Favors.

I am, with most respectful Compliments to your Lady & Family,
your very affectionate Friend & humble Servt, S.A.

FC (NN: Adams Papers).

¹ John Winthrop's November 9 letter to Adams is in the Adams Papers, NN.

John Fell's Diary

[December 21, 1778]

21st. Monday. Commercial Committee 9 oClock. Present, Smith, Lewis, Searle & my Self chose Mr Lawrence Chairman & Major Moses Young Secretary. Congress 11 A M, great debates about calling in the Money so soon, ought not to be till money can be ready to be Exchanged for it. Commercial Committee to settle Mr Saml Cursons acct.¹ Mr Root Balloted, for the Board of Warr.² This day came to Lodge at the house of Mrs Gibbon in Spruce Street.

MS (DLC).

¹ Documents relating to Samuel Curson's accounts were transmitted to the Committee of Commerce on December 14 and 18. *JCC*, 12:1215, 1229.

² Jesse Root was elected to replace Roger Sherman on the Board of War on December 22, according to the journals. *JCC*, 12:1241. The printed journal entry for the 21st erroneously incorporates a Board of War report dated "20th December, 1778," that was actually adopted on December 20, 1777. See *JCC*, 9:1047-48, 12:1238.

William Whipple to John Langdon

My Dear Sir,

Philadelphia 21st Dec. 1778

Your favor of the 25th Novr came to hand a few days ago. Mr. Temple has been some time in this City—many concurrent circumstances in that gentleman's history have tended to cause Suspensions of him in jealous minds, both in and out of Congress. I must own I have no suspicion of him but still I think neither he nor his friends have acted with that prudence which is dictated by good policy. I have been obliged to exercise what I think they have been deficient in, which has prevented my paying that attention to Mr T which my inclination strongly required or which my duty would have demanded, had the letter from the Council to the President of Congress, in commendation of that gentleman passed through my hands. A neglect of this kind may save a person in my Situation from some difficulties, but cannot fail of touching the feelings of a person of any sensibility, and he that is incapable of feeling (as I have had occasion heretofore to observe) is not deserving of the public confidence.

I feel with you the distresses occasioned by the amazing depreciation of the paper currency, but flatter myself some relief is at hand—a plan for remedying this evil, is nearly completed and I hope it will have its desired effect. Part of the plan will be to call in about 40,000,000 dollars of the circulating medium—the mode of doing this you will soon be informed of, together with other particulars.

I shall do every thing in my power to get the Naval department

arranged properly and hope in the course of the winter the business will be effected. Congress is so exceedingly pressed with business that it is difficult to get a matter attended to that does not appear of equal importance to every one. All monies that go to the Eastern department for Naval purposes must go through the Navy Board of that department.

I shall pay due attention to the several matters you mention and give you the best information I am able to obtain as soon as possible. If Mr Wentworth has brought any intelligence pray let me have it—when you see that gentleman please to present my compliments to him.¹ I must refer you to the papers for news and am with much esteem, Dr Sir, your affectionate friend, Wm Whipple

Tr (DLC: Force Collection).

¹ Michael Wentworth (d. 1795) had just returned from France. A retired British army colonel, he had married the widow of Gov. Benning Wentworth shortly after his arrival at Portsmouth, N.H., in 1767. Bartlett, *Papers* (Mevers), pp. 233–34n.5.

James Duane to Mary Duane

Philad. 22d Decemr 1778

My dearest Polly will not doubt of my Happiness on being informed by a Letter from you of your own Health, our children's and Friends: repeated assurances of this agreeable Import will contribute greatly to my sustaining this seperation with Patience. Indeed in the hurry of the Business which encompasses me Time passes almost insensibly, and I find myself as easy as usual in constant Employment. Altho' our publick Affairs brighten up to the utmost of our wishes they still acquire great Application; particularly the State of our Finances in which last I am much engaged: Nor do I despair of seeing even our paper money soon placed on a Safe Footing. I am sure we have the Means; but such as are indispensably Necessary can only be suggested and recommended by Congress: the respective States must be looked to for their Efficacy and Success. We have no foreign News. At the City of New York the Enemy are collecting another Fleet of Transports as we are assured. This confirms the Supposition that they mean soon to leave the Continent—I own I do not positively Credit any Intelligence or Conjecture on this Subject; for it is my Opinion that neither Sir Henry Clinton nor his Masters the ministry will chuse to hazard the decisive Step of giving up their Strong Holds in New York without the Consent of Parliament.

Enlosed is a Newspaper for your Amusement. Present my dutiful Regards to our hond Father: assure him that he will be highly pleasd with his new Daughter.¹ I flatter myself my dear Polly that you & she

will be a Means of cementing still stronger the cordial Friendship which so long has subsisted between your Husbands. I paid them a Visit on Sunday & could only pass the Evening with them being obliged to return on Monday Morning: They insist on my being with them every week but tho this would contribute to my Health as well as pleasure it is impracticable.

Adieu! Kiss and bless our dear Children for me; & to all our other Friends present my Affectionate Regards: And believe me Always, my dearest Polly, your truly faithful & Affect Husb[and]. Jas. Duane

[P.S.] To the usual Compliments Accept those of the approachg. Season, & communicate them to our parents, Children & Friends.

Tom took with him the Silk Thread & Buttons of which no mention is made in your favour.

RC (NH: Duane Papers).

¹ This is, Alice Swift, who had just married Mary's younger brother Robert C. Livingston.

John Fell's Diary

Decr 22nd. [1778]

Tuesday. Memorial Read from Mr Sutton Pay Master for the Loss of Money, carr'd in the negative.¹ At 6 PM, Mr Deane attended Congress.

MS (DLC).

¹ According to the journals, the Board of War's report on the memorial of John Sutton was simply recommitted this day. On April 9, 1779, Congress reconsidered Sutton's case and reimbursed him in keeping with his appeal. See *JCC*, 12:1220, 1243, 13:433-34.

John Henry to Thomas Johnson

Dear Sir

Philadela Decemr. 22nd. 1778

This Letter will be handed to you by Andrew Ragg Esquire, a Gentleman whose Situation and Circumstances I trust, will entitle him to your Attention and Indulgence. He is a Native of Great Britain and at the Commencement of the present War held an office under that Government. These Circumstances have kept him a silent and inactive Spectator in the present Controversy. His conduct however in every other respect, has been prudent and unexceptionable: And from the time our affairs wore a serious Aspect has lead a retired Life unconnected with Men and Measures, and being now deprived

of any Mode of supporting a Family in this Country, is desirous of returning to his Friends and Connexions. There is no Law I believe to prevent his leaving the State, but the impossibility of obtaining a direct passage to Great Britain from any other place than New-York, has induced him to pay his respects to you, and to solicit a passport to that City, from whence he will be enabled to sail directly for England. A passage round by the West Indies would be extremely disagreeable and inconvenient as he intends to take his Daughter with him.¹

I can see no impropriety in granting this Gentlemans request. The intelligence any individual can communicate in our Situation will be of little Consequence to the Enemy; But if you are the least apprehensive of Danger on that Score, Mr. Ragg I believe will readily subscribe any parole you may think proper to direct. If Sir upon inquiry you should not see cause for detaining him, it would give me great pleasure and Satisfaction to have him supplied with such papers as may enable him and his Daughter to pass on to New-York unmolested. Your attention, Sir, to this Letter will be very obliging to him who has the Honor to be with the highest personal respect and Esteem your most obdt. and very hble. Servt. John Henry Junr.

RC (MdAA: Red Books).

¹ For the Maryland Council's March 31, 1779, order granting Andrew Ragg permission "to go with his Daughter into the City of New York in order to get a Passage from thence to Gr Britain," see *Md. Archives*, 21:333.

Francis Lightfoot Lee to Richard Henry Lee

My dear Bror.

Phila. Decr. 22d. 1778

Publications still continue in abundance to blacken the Lees & make Deane the greatest Man in the World. The cry is in their favor, no one has dared to enter the lists with them but Common Sense, who tho he has said a great deal of truth, & much to the purpose, was as far as I can understand very little regarded, it having been artfully put about that he was hired, & the poor fellow got a beating from An Officer, it is said for having wrote the peice. He unfortunately made some mistakes, which are taken notice of by his Answeror Plain Truth, & throws a discredit upon the rest.¹ It is really a shame, that when so many things can be alledged against this man, that the public shou'd be so abused, because Congress will not go thro' the business. They have done nothing yet, in the mean time he continues to insult them. After having long pester'd the Congress by Letters to hear him, in justification of himself, never hinting that he has any discovery to make, urging the necessity he was under of going immediately to

France. And after complaining to the public that he was obliged to communicate his discoveries to them, because Congress would not hear him, as if he could not have given his information to Congress in a Letter, as well as to the people. After all this Congress on the 8 inst. directed him to put in writing the whole of his transactions & discoveries while in Europe & told him that if in the mean time, he had any thing of immediate consequence to communicate, they would hear him the next evening. He answered that as he could in two or three days put everything in writing he did not desire to be heard, since which we have not heard one word from him in Congress.² And yet no notice is taken of him: in short the Party are determined to support him in everything, & to contradict the old opinion, that it is impossible to wash the blackamore white. Finance is yet very backward. God knows what will become of us. Letters from Rhode Island say Byron's seamen are very sickly, which prevents his fleet from moving. This is all our news.

When you come up I would advise you to cross at Kent Island, the road by Baltimore is very bad. Love to your fireside & all friends,
Francis Lightfoot Lee

RC (ViU: Lee Family Papers).

¹ Plain Truth's "Strictures on the Address of Common Sense to Mr. Deane" was published in the December 21 issue of the *Pennsylvania Packet*. The entry of "Plain Truth" into the Deane-Lee controversy itself touched off a minor tempest that entertained the readers of John Dunlap's *Packet* the next three weeks. For the letters that were exchanged during that period between "Plain Truth" and his opponents, and his December 30 admission of his identity as Maj. Matthew Clarkson, see *Deane Papers* (NYHS Colls.), 21 (1888): 100-101, 103-23, 127-28, 133-40, 214-35, 245-46.

² Actually Congress received a note from Deane this day advising that he was now prepared to present a written account of his mission to France, and the delegates responded immediately by resolving to hear him "this evening at six o'clock." *JCC*, 12:1239-40, 1246. For Congress' resolve ordering Deane to report "in writing, as soon as may be," which was adopted on December 7, rather than the eighth as Lee stated, see *JCC*, 12:1200-1201.

North Carolina Delegates to Richard Caswell

Dr Sir

Philadelphia Decr. 22d.1778.

We have been applied to, to procure some Necessary warm cloathing for Col. Hogans Regiment who are very deficient in that article so necessary in a Country Cold and every way inclement in which they are to winter. We have applied to Congress for the articles, submitting that they should be charged to the State if on future Enquiry it shall be deemed Just.¹ On these Terms we can be Supplied with Shoes and Stockings, but not with Blankets, and Col. Hogan is to be accountable

to the State for them. We deemed it incumbent on us to use every means to prevent the distress of our Countrymen who are here in Obedience to the State, and in the public Service, more especially as the time of their Service puts them out of the Common Line, and leaves them without the ordinary provisions made for the Continental Troops.² We are told they are to be quartered in this City, in which case we purpose to Engage as many of them as we Can to enlist in the Battalion for the War, or one year at least after their present Term shall Expire. This matter Can go no farther than proposals through their Officers, and learning the Terms on which they can be procured, until we receive particular power and instructions from the State. We wish therefore to have their Sense as soon as possible.³

We are sorry to inform you that Congress are about to take measures relative to our paper Currency which we think our Duty obliges to Oppose. 'Tis proposed by authority of Congress to Call in two Emissions Vizt. amounting to forty One Millions of Dollars, and to declare them Irredeemable after the first of June next. Also to exchange them for Loan Certificates or New Bills at the election of the owners.⁴ We urged against it that Congress could not by their own authority decry the Currency of money which our Laws have made a Legal tender because it implies a power to repeal or Suspend our Laws. That it was impolitic to throw any difficulties in the way of the Currency, because People would become very suspicious of its quality and Credit, and if they took it at all it must be at a Value depreciated in proportion to the Risque. That it was not in the power of Congress to declare Money Irredeemable for which the public faith had Once been pledged for it implied a power to destroy the Peoples Security in that part of their property at Will and even if they had the power it is indiscreet to use it, because if the People ever Considered it as subject to acts of arbitrary power they would consider the public Credit as too precarious a Security, and of Course the whole Currency must be very considerably affected. We also urged that the time would not admit of Sufficient Notice being given to People in States So Extensive and remote as ours. But the objection of highest moment is that by borrowing when money is So highly depreciated as at present to be paid hereafter when the war is over will be to charge our Constituents with a Debt which will take ten parts of future Industry to pay for One part of the present, for Loan Certificates cannot be called in by Taxes, but must be paid off by appreciated money, of which every one knows it will take a much greater quantity of Industry to procure a given Sum, than when it is depreciated. We look on borrowing in this way to be ruinous, and Realising the Debt so as to make it equal to Gold and Silver, tho in any use we can make of it, it has not above a tenth part of their value. We Conceive it very unjust to Subject the States, who have not acquired abundance of the

money, to So unequal a charge to those who have, or to make the many pay a Debt at so great a Disadvantage to the few in whose hands mony may be accumulated and who in many Cases have acquired it by Extortion. We must lament that our Opposition is likely to prove Ineffectual, for the Interest of the monied States is too powerful for our Endeavours. We deem it however not improper to advise you, and through you the assembly, of a Matter in which the property of our Country is so deeply interested. Their wisdom may possibly fall on measures to avert the worst of the Consequences.

We have the honor to be Sir, your very obdt. Servt.

J. Penn

Whitll. Hill

Tho. Burke ⁵

P.S. Fifteen millions are voted to be raised by a Tax.

RC (Nc-Ar: Governors' Papers). Written by Burke and signed by Burke, Hill, and Penn. *N.C. State Records*, 22:987-89.

¹ On January 1, 1779, Congress directed the Board of War to supply Col. James Hogun's Seventh North Carolina Regiment with such articles of clothing as "may be spared from the continental stock, without detriment to the service" and to charge these to North Carolina. See *JCC*, 12:1219, 13:14-15.

² Colonel Hogun's regiment consisted mostly of men drafted from the North Carolina militia who were only serving for nine months. Hugh F. Rankin, *The North Carolina Continentals* (Chapel Hill: University of North Carolina Press, 1971), p. 162.

³ For the state's response to this request for information, see Thomas Burke to George Washington, March 22, 1779, note 2.

⁴ See Burke to Caswell, December 20, 1778.

⁵ Although John Williams did not sign this letter, he was apparently still in Philadelphia. His name appears in roll call votes recorded as late as December 23 and 26, despite the fact that he had obtained leave of absence on December 16 and is not listed among the delegates voting that day or on December 18, 21, and 24. *JCC*, 12:1222, 1224, 1226, 1232-34, 1236-37, 1248-49, 1252-53, 1257-58. The precise date of his departure from Congress cannot be established, but other facts concerning his service as a delegate are known. He was elected to Congress on April 28, 1778, and took his seat in that body on August 4. *JCC*, 11:695, 743. His letters of resignation—dated "Halifax, Feby. 1st, 1779"—which he sent to the speakers of the North Carolina House of Commons and of the Senate, are located, respectively, in the John Williams Papers, and Legislative Papers, Nc-Ar.

According to accounts he later prepared, Williams claimed compensation for "My Services as a Delegate to Congress from April 1778 to January 1779 one half of Each Mentioned Month Inclusive being Nine Months at £1600 per year of the late Depretiated currency." Signers of the Articles Collection, NNPM; and Gratz Collection, PHi.

John Fell's Diary

[December 23, 1778]

23d Wednesday. Mr Deane attending this morning, did not go to Committee, Genl Washington Visited Congress; At 6 P M Genl Thompson with two witnesses were Examin'd at the Barr. NB Genl Lee & Lt Coll Laurens fought a Duel.²

MS (DLC).

¹ General Washington's visit to Congress this day was apparently an informal one; his formal presentation to Congress occurred the next day. *JCC*, 12:1250. His arrival in Philadelphia was also noted by Samuel Holten, whose diary entry for this day reads: "Congress Sit from 9 'till 3 & from 6 'till 9. G. W. arrivd. here last eveng." MDaAr.

² John Laurens challenged and shot Gen. Charles Lee in a duel because, as he explained to Alexander Hamilton, he believed Lee "had spoken of General Washington in the grossest and most opprobrious terms of personal abuse." See Alexander Hamilton, *The Papers of Alexander Hamilton*, ed. Harold C. Syrett et al., 26 vols. (New York: Columbia University Press, 1961-81), 1:602-4.

Maryland Delegates to Thomas Johnson

Dear Sir

Philadela Decemr. 23d. 1778.

The Necessity of making some inquiry on the Subjects contained in your Letter of the 10th Decemr and the Reference of the Resolutions of the General Assembly to the Marine Committee, upon which no Report has yet been made, has deprived us of the Honour of answering your Letter, so soon as we intended.¹

The Expedition against Florida, always was, and still is, in our opinion a dangerous and ruinous project, attended with a certain considerable Loss and Expense, without the smallest Hope of Success or advantage; And altho' Congress have not re-considered or in any way countermanded their former orders and recommendations; yet we think it not improper privately and in Confidence to inform you, that there does not appear to us any hope of Success in prosecuting this Expedition.²

The re-enforcement that we have reason to expect have been sent into that Country from the City of New York; the Distance and Nature of the Country through which the Troops are to pass, before they reach St. Augustine, the place of Action, joined to the Resistance they will probably meet with in Georgia, and the length of the Blockade (three Months at least) which it is said will be absolutely necessary to reduce the Garrison, fortify us in the opinion we have formed. By this we do not mean to throw impediments in the way to stop the Expedition, but simply to express our own apprehensions of the Ex-

treme Danger, if not, total Loss of the Men and Vessels destined for this Expedition.

No Measures are as yet taken in this quarter for the supply of provisions and other Necessaries, they seem to be left to the Chapter of Accidents and the Commander in chief in the Southern Department.

Whether the Gallies from Virginia will be in readiness at the time expected we cannot certainly determine, but have some Reason to believe they will not.

The Resolutions referred to the Marine Committee have not as yet been reported on, as soon as their determinations are known we shall take the earliest opportunity of communicating them to you.

We were yesterday informed by the Minister of France, that he had received the Resolves of the General Assembly respecting the Confederation. We have not seen them, nor do we know their Contents. Those Resolutions and all others of the last Session which your Excellency may deem of a public Nature, and Necessary for us to know, we should be happy in having communicated to us.³

We are with the highest respect and Esteem, your obedient and very hble Servts.

John Henry Jun

Wm. Carmichael

RC (MdAA: Red Books). Written by Henry and signed by Henry and Carmichael.

¹ For the Maryland Council's December 10 letter to the Maryland delegates reporting the state's inability to man the galleys requested by Congress for a proposed southern expedition, see *Md. Archives*, 21:263.

² See Henry Laurens to Patrick Henry, November 14, 1778, note 2.

³ For the delegates' acknowledgment of having received the December 15 "Resolves of the General Assembly respecting the Confederation" referred to here, see John Henry to Thomas Johnson, January 20, 1779. Their meeting with "the Minister of France" is discussed in Conrad Alexandre Gérard's December 24 letter to Foreign Minister Vergennes, in Meng, *Gérard Despatches*, p. 441.

The effect of the assembly's instructions on ratifying the Articles of Confederation was discussed by Maryland delegate George Plater in a letter to Gouverneur Morris which he wrote on December 27 from his home at "Sotterly Hall." "Our Assembly have given Instructions to their Delegates in Congress respecting Confederation," Plater explained, "which you will see—likewise a Declaration—but what good Effect will result therefrom I cannot at present discover—the weaker must always give Way to the stronger, & I suppose we shall be dragged in by & by—therefore I think we had better have done it with a good Grace, & saved our Credit by making a Virtue of Necessity. But pray do not let Maryland be reflected on for this little Piece of Obstinacy, she thinks her Interest materially concerned therein—& when that is the Case, you know it is the Nature & Disposition of Men to be a little restive, ill humour'd, & not easily brought about to any particular Measure, not coincident [or?] squaring with what they deem the Rule of Right or Fitness of Things."

The closeness of Plater's relationship with Morris is further illustrated in a January 10, 1779, letter he wrote from Sotterly Hall discussing some of the Virginia delegates and explaining his own plans for returning to Congress. "Since my Letter to you by the last Post, I have received one from Banister, in which he complains much of the scandalous Report concerning him, propagated in that State, of which

I made mention to you in my last. It is that he has been concerned in counterfeiting Money—such a low mean villanous Assertion cou'd have been only formed by one of the same Character—but it serves to shew that the most virtuous & upright of us cannot at all Times escape the Tongue of Slander & Calumny. He has resigned his Seat in Congress, so has Harvey—and succeeded by General Nelson & Mr. Fleming, the latter I am unacquainted with, the former you have seen & know. I lament that we shall not have our Friend Banister with us more—but to let you into a Secret, he proposes soon to change his State & become a married Man—he says it is contrary to his Religion to live any longer single. This severe Weather makes me think & fear that we shall have a trying Journey to Philadelphia—we propose to set out as soon after the Middle of the Month as the Weather will permit—& had ordered a Vessel to attend, which did attend to take our Bed, heavy Baggage &c to the Head of Elk—but to this the Frost says no—the narrow Waters are all congealed & renders the Scheme abortive—therefore we must take the Chance of procuring a Bed as we can when we get to the City—another Disappointment which sits heavily upon me, & equally affects you is, we proposed to send up some Hams, Beef, Wine &c." Gouverneur Morris Papers, NNC.

Charles Thomson's Notes of Proceedings in Congress

[December 23, 1778] ¹

John Donaldson ² being sworn saith that, That on a certain Evg when there was a Disturbance between Gen. Thompson & Mr. McKean, at the Coffee House in this City Dep[onen]t was there. That he observed Gen Thomson come into the Coffee House & go into a Box with Judge Atlee, Mr McKean & Mr Evans, that his Attention was drawn to the Box by Gen Thompsons speaking in a higher tone than usual & he thereupon went to the Corner of the Box. That the first thing he heard was Gen Thompsons accusing Mr McKean with using him rascally & behaving to him as a Scoundrel—that Gen Thompson then complained of Mr McKean having sent a Summons for him at Carlisle & charging him with harbouring Deserters &c. & further that it was owing to him & some other such Rascals that he was reduced to his present melancholy Situation of being obliged to quit his Family. That Mr McKean excused his conduct as to the affair of Mr McKinley & the Exchange—that he had formerly had a friendship for the Gen. but found him to be a dirty Fellow, a Bully & he thinks a Scoundrel or some Word of that Import. That Gen Thompson after Mr McKean had called him a dirty Fellow asked him if he dare be a Gent. to which Mr M Kean replied that he was his Superior, which Gen Thompson denied. That as the Gen went away from the Box Mr McKean raised himself from his seat & said to the Gen. I will make your Heart ache for this, to which the Gen answered God Damn you if you do I will make your Bones ache. That he heard Mr McKean when speaking of the Exchange of Govr Franklin for McKinley say he had acted according to his Directions. That the Conversations abt. the Summons at

Carlisle preceded that abt. the Exchange. That Mr. McKean said it was not a Summons but a polite Note—The Gen. answd that it was a Summons. Mr. McKean asked him if he had it—he said no he had made a particular use of it which the Dep[onen]t does not think decent to mention. That the Quarrel appeared to him to be a personal affair between Mr McKean & Gen. Thompson, & that he did not hear the Gen. say any thing disrespectful of Congress.

Wm. West ³ was at the Coffee House in this City the Evening on which the Disturbance happened there between Gen Thompson & Mr. McKean. That when Dep[onen]t came to the Coffee House he found the Gen. there in a Box with Mr McKean, Mr. Atlee & Mr. Evans. That hearing a Conversation passing in that Box in a higher Tone of voice than usual his Attention was drawn towards it & he went within two feet of it there being some Gentn between him & the Box, but he saw Who were in it & heard distinctly what was said in it. That the first thing he heard was Gen Thompsons saying to Mr. McKean that it was owing to him & some such Rascals that he was brought to his present Situation, adding that it was not the first ill Treatmt he had recd. from him, for that he had injured him by writing him a note charging him with harbouring Deserters. Mr. McKean replied the Note was a polite Note, Gen. Thompson sd. it was not & that he was a damned Rascal. Mr. McKean then sd. you are not the Man I took You for. That thereupon the Depon[en]t retired from the Box & did not pay particular attention to what followed—He considering the Quarrel as a personal Affair between Mr. McKean & General Thompson abt. the affair of Carlisle. That he did not hear the name of Congress mentioned in the Course of the sd. Quarrel nor any thing abt Exchanges. That at the time he first saw Gen. Thompson in the Box he was either rising or standing.

Mr Jas Searle sworn,⁴ he was at the Coffee house on the evening of the altercation between Gen. T & Mr McK. The first thing that drew his attent. was gen T voice in a higher tone than usual. That he heard gen. T. say to Mr M Kean U are a damned rascal & it is owing to u & a set of rascals like you that I have not been exchanged before now. There is a nest of u but damned if I know u all. U exchanged an old woman caught in bed & left me unexchanged tho taken fighting in the field. That he did not hear the word Congress made use of at all and does not recollect hearing Mr. McKean's reply. That he heard genl T say to M K damn u who are u! MrK said I am ur superior or words to that effect. Afterward he heard genl T in a lower voice ask MrK if he were a gentleman. To which M McK repld however that may be I am sure u are none. That he heard Mr McK say Ay strike me if you dare I will make yr heart ake if u do. To which gen T replied damn u I will make ur bones ake first.

That he Thinks after what I have mentioned he heard Mr. McKean say it was not a summons To which genl. T. said it was. Mr K asked him to produce it. He said he had it not, that he had treated it as it deser[ved] & made use of indicent expressions. Is not possitive whether this was before or after what he first testified but is rather inclined to think it was after. That this passed while gen T. was in the box & at the end of the box.

MS (DNA: PCC, item 159). The testimony of John Donaldson and William West is in a clerical hand; that of James Searle is in the hand of Charles Thomson.

¹ For the previous testimony on Thomas McKean's charges against Gen. William Thompson, see Charles Thomson's Notes of Proceedings in Congress, November 23 and December 7, 1778.

² John Donaldson was a Philadelphia merchant. *JCC*, 13:95.

³ Probably William West (1724-1808), Philadelphia businessman and sometime business associate of John Donaldson, the previous witness. See *JCC*, 2:254; and Charles Henry Hart, "Benjamin West's Family," *PMHB* 32 (January 1908): 4.

⁴ James Searle was elected a Pennsylvania delegate to Congress on November 20, 1778, and had been attending since November 25. *JCC*, 12:1161.

John Fell's Diary

[December 24, 1778]

24th Thursday. A motion for the Secretary to wait on Genl Washington to desire his attendance.¹ President told him a Committee would be appointed to consult with him Respecting the ensuing Campaign, he with drew, the Committee Laurens, Duane, Smith, Root, and Morris: The reminder of the day in debate about Genl Thompson, whether Judge Atleys deposition be admitted, carried in the Negative. Motion whether the General is guilty of a breach of Priviledge agst. the member Honble Mr McKean, Carried in the Afirmative, my Vote no. Then whether the Generals deffence should be allowd as a full justification, carried in the afirmative. So ended an unhappy dispute that has given Congress a great deal of trouble between Genl Thompson & the Honble Member for the State of Delaware. To morrow being Christmas Day adjourned to Saturday.

MS (DLC).

¹ General Washington's attendance in Congress was also noted by Samuel Holten in his diary for this day: "Thursday. Genl. Washington was admitted into Congress & informed that congress sent for him to consult with him about the affairs & operations of the army this ensuing year." Samuel Holten Diary, MDAr.

John Jay to Joseph Reed

Philadelphia, 24 Decr, 1778.

The President of Congress presents his compliments to the Presidt of the State, and sends him by Mr James Trumbull twelve Commissions for private vessels of war, with an equal number of Bonds & Instructions.

MS not found; reprinted from *Pa. Archives*, 1st ser. 7:127.

Samuel Adams to Charles Chauncy

Reverend & Much Esteemed Sir

Philad. Decr 25 1778

I am greatly indebted to you for your very acceptable Letter of the 7th of Novr by Mr Temple.¹ That Gentleman, in my Opinion took an unguarded Step on his late Arrival in New York. I mean his writing a Letter to the late President Mr. Laurens requesting Permission to pay his Respects to Congress, and another Letter to myself. This excited a Suspicion in the Minds of the true Freinds of our Cause, that what they had before seen in the English News papers, viz that he & Dr Berkenhout were sent to America by the British Ministry might not be without Grounds. This Desire of paying a respectful Visit to Congress was judgd to be a Reason merely ostensible; and the Time & Manner of his leaving England, the Company he came with and the Readiness with which the British General granted him the Liberty of sending his Letters, the Contents of which must most undoubtedly have been under his Inspection, it was said, afforded Reason to believe his real Design was to gain an honorable Admission into this City, & the Confidence of Members of Congress & others thereby the more easily to cooperate with the British Commissioners, and carry their Designs into Effect. The Jealousy of the People when it is properly directed or as some chuse to call it, a prudent Caution, is in my Opinion one of the best Securities of publick Liberty. And we must allow them to give all that Weight to a Train of Circumstances respecting our Friend, which in other instances we shd our selves judge to be reasonable. His Friends have given him high Recommendations. But say others, his Friends may be partial to him. His Connections are among the warmest Patriots. His Testimonials come from the most virtuous Citizens. *They* have a good Opinion of him—True, and this might be a strong Inducement to a politick Minister to make a Choice of *him*, & may make him the fittest Instrument to answer his Purpose. For my own Part I know Mr Temples former Character, Conduct & Sufferings & have also

a good opinion of him. I have done him the most substantial Acts of Friendship in my Power. But so deep rooted were the Suspicions of him and so general, that I have been under a Necessity of forbearing to visit him so often as I otherwise should have done, lest I might lose that consistent Character and that Confidence which it is my Duty as far as I am able, to support, in the Minds of Congress, the Minister of our Ally & the People of America. I have Reason to believe that I am on Terms of Friendship with the Sieur Gerard; In private Conversation with him, I purposely mentioned Mr Temples Name, & I conclude we concur in Sentiment that however upright the Heart of any Gentleman may be yet if an Opinion prevails among the People that he is a secret Emissary from the Enemy, his Residence near the Congress, might, at this Juncture especially, make improper Impressions on the Minds of *our Friends* abroad. Mr Temple has lately taken his Leave of this City & I believe some Gentlemen of Character have since conceivd a more favorable Opinion of him than they did before.

You have my hearty Thanks for your Sermon lately publishd which I have read with pleasure.² The Evil you therein mention is indeed alarming. Amidst the great Variety of pressing Affairs, Congress is devoting certain Hours of every Day to investigate a radical Cure; and I am in strong Hopes that an effectual Plan will shortly be laid before the General Assemblies of the several States.

When General Gates was orderd to Boston a considerable Embarkation of the Enemies Troops had been made at N York & it was apprehended they would attempt a Landing somewhere near that Place. His military Abilities and Experience, his political Principles & Attachments and the Confidence which the Troops and People of the Eastern States had in him were the Considerations which inducd his being sent thither. Had the Enemy turnd their whole Force that way of Course the Commander in Chief would have followd. General Heath has given entire Satisfaction to Congress during his Command there. The Change took Place on the Spur of the Occasion, and probably in the Spring a different Arrangement may be made.

I am my dear Sir with the most Cordial Esteem & Affectionate
———your Friend & very humble Servt

FC (NN: Adams Papers). In the hand of Samuel Adams.

¹ Chauncy's November 7 letter to Adams is in the Samuel Adams Papers, NN.

² Apparently *The Accursed Thing Must Be Taken Away from Among a People, if They Would Reasonably Hope to Stand Before Their Enemies. A Sermon Preached at the Thursday-Lecture in Boston, September 3, 1778* (Boston: Thomas & John Fleet, 1778). Evans, *Am. Bibliography*, no. 15759.

Samuel Adams to Samuel Cooper

My Dear Sir

Philadelphia Decr 25 1778

I have receivd your Favors of the 7th & 20th of November,¹ the former of which was deliverd to me by the Honble Mr Temple. That Gentleman is intitl'd to my Esteem from the opinion I entertain of his personal Merit, and from your Recommendations and those of some others of my virtuous Fellow Citizens. I have done him every Act of Friendship in my Power; but Circumstances, of which he is not unapprizd, have prevented my having so much Conversation with him as I could have wished for. The Time and Manner of his leaving England, the Company he came with, the favor granted him at New York of writing a Letter to Mr President Laurens requesting Permission to pay his Respects to Congress, and another to myself, neither of which, it was presum'd, could have passd without the Inspection of General Clinton, nor sufferd by him to pass unless they had been adapted to his Views—These were made the Grounds of Suspicion of him then; and they were afterwards judgd sufficient to overbalance the Letters he brought from his Friends & Countrymen, respectable as they were acknowledgd to be by all, who might be supposd possibly to have judgd partially in his Favor. I am sorry our Friend has been thus unfortunate because I believe his Motives in coming here were pure; and yet we must allow those who never were acquainted with him to give all that Weight to Circumstances which in other Instances we m[ight] our selves be inclind to think reasonable. I am satisfied there is a Design among them to leave no Method untried to raise a popular Clamor against those who took an early active Part & have continued consistent in Support of the Liberties of America. They are at this time endeavoring to stimulate a Persecution against my patriotick Friend Dr. Lee, who from the Knowledge I have of his publick Conduct since he has been employd by Congress and a constant political Correspondence with him for near ten years past, I am well assured, deserves the highest Esteem and Gratitude of these United States and Massachusetts Bay in particular. It concerns those who are determin'd to persevere in this glorious Contest till the Liberty and Independence of America shall be firmly establishd to be exceedingly circumspect lest their Conduct should be misrepresented by designing Men and misunderstood by others. An angry Writer has lately insinuated in a publick Newspaper among other injurious things, that Arthur Lee Esqr communicated the secret Negotiations of France & America to the British Ministers, because he showd Civility to Lord Shelburne in Paris. Had Mr Temples Friends appeard to be very intimate with him here, the like Insinuation might have been thrown out, & with

a similar View, to draw an odious Suspicion on them. Indeed such an Attempt was made as you will observe in the inclosed Paragraph taken from Dunlaps Paper. You who know much of my Heart will easily guess which of your Delegates the Hint was intended for. I leave it to your Conjecture. I have openly declared my Opinion that Jealousy is a good Security of Publick Liberty. I have expressd my Fears that America is too unsuspecting long to continue free. These I know are the sentiments of Dr Lee. When Men hold these Sentiments & honestly act up to the Spirit of them they must necessarily become exceedingly obnoxious to those who are watching every Opportunity to turn the good or ill Fortune of their Country, and they care not which to their own private Advantage. Such Men there are in this Country, in France & indeed in all Countries & at all times. Some of them you & I have known. Such Men there always have been & always will be, till human Nature itself shall be substantially meliorated. Whether such a Change will ever happen and when, is more within your Province than mine to predict or ascertain. A Politician must take men as he finds them and while he carefully endeavors to make their Humours & Prejudices, their Passions & Feelings, as well as their Reason & Understandings subservient to his Views of publick Liberty & Happiness, he must frequently observe among the many if he has any Sagacity, some who having gained the Confidence of their Country, are sacrilegiously employing their Talents to the Ruin of its Affairs, for their own private Emolument. Upon such Men he stamps the Stigma *Hic niger est*, and if he thinks them capable of doing great Mischief to prevent it, he ventures to hold them up to the publick Eye. This he does at the Risque of his own Reputation; for it is a thousand to one but those whose Craft he puts at Hazard, will give him the odious Epithets of suspicious dissatisfiable peevish quarrelsome &c, and honest, undiscerning Men may be inducd for a time to believe them pertinent; but he solaces himself in a conscious Rectitude of Heart, trusting that it will sooner or later be made manifest; perhaps in this World, but most assuredly in that Day when the secret Thoughts of all Men shall be unfolded. I have many things to say to you particularly of Arthur Lee & Silas Dean Esqrs.² Of both these Gentlemen I long ago made up my opinion, and I have never seen Reason to alter it. But I will relieve you by putting an End to this tedious Epistle. I intend to get myself excusd from further publick Service here, and hope before long to think aloud with you & my other Confidential Friends in Boston. I do not mean however to quit the Service of our Country altogether while I am capable of rendering myself in the least Degree serviceable. I earnestly wish for more Retirement & Leisure. *Esto perpetua!* is my most ardent Prayer for this rising Republick. That will depend

upon the Principles and Manners of the People. Publick Liberty will not long survive the Loss of publick Virtue. Favor me, my dear Sir, with your Letters frequently while I remain here, and be assured of the warmest Sentiments of Friendship & Esteem in the Breast of your very affectionate,
S.A.

FC (NN: Adams Papers). In the hand of Samuel Adams.

¹ Cooper's November 7 and 20 letters to Adams are in the Adams Papers, NN.

² In drafting this letter, Adams wrote and then crossed out the following comments on Silas Deane and Arthur Lee: "I am now giving you some Traces in the Picture of Dr. Lee. Were I to tell you of his Attention to the french Ambassador in London so early as the year 75, his knowledge of the Great Men of France, his Correspondence with those who stood near that Court, the Supplys of Artillery Arms Ammunition Clothing of which he had the Promise of from a Gentleman who was a favorite at Court & *had no Capital of his own*, before Mr Deans Arrival in France, which have since been receivd by us, and the faithful exact & important Intelligence he has constantly given to his Constituents, the Nature of the Intelligence he wrote while in England at the Risque of his Life & by whom his Packet was opend, & I may add exposd & retaind more than twelve months & the Confidence justly forfeited on that Account I should necessarily place more of the Success of France & America than Mr Dean has done in his late rash, injudicious & impolitick Publication & much more than at present I ought to disclose. This Gentleman having joynd with two Colleagues appears to me to have made a representation to his Constituents in a Narrative deliverd to them a few days ago amounting to this, that one of them has done very little if any thing, the other does less than Nothing & himself *every thing*."

Samuel Holten's Diary

[December 25, 1778]

25. Friday. Christmas day, I dined at the Presidents of this state, Genl. Washington & his lady & suit, The presidt. of Congress, Colo. Laurens, my Colleagues, General Whipple & Don Juane,¹ dind. with us.

MS (MDaAr).

¹ Juan de Miralles, Spain's agent to the United States, who frequently dined and met with various delegates to explore American views on issues of interest to the Spanish government. At this time, Miralles was apparently most concerned over American intentions in the Floridas and in the Illinois country. The former had taken on special meaning when on November 2 Congress endorsed a plan for the reduction of East Florida. And the latter became a matter of particular interest after Congress learned on November 27 that a Virginia expedition under the command of George Rogers Clark had captured "Fort Chartres & its dependencies" in the Illinois country. See JCC, 12:1091, 1167n; and PCC, item 71, 1:189-93. Miralles' efforts to ascertain congressional intentions in these areas were the primary subject of his December 28, 1778, dispatch to José de Gálvez, the Spanish Minister of the Indies.

"I have managed," Miralles explained, "to arrange to confer in my home and in that of the French Minister Plenipotentiary with the new President of the Congress

and several members. I have endeavoured to explore (and the French minister has co-operated to the same end) the idea they have concerning the territory which the Americans have taken from the English in the interior of the province of Luisiana, Illinois, etc., and concerning Florida in case they conquer it. We have learned that in regard to the first their idea is to foment by means of a company which they have already begun the cultivation and settlement of that vast and fertile country. They confidently expect that within four years there will be in that area a population of more than twenty thousand souls, more than five thousand of them able to bear arms, and that the population will increase successively at the same rate. They consider that by the right of conquest they acquired from the English as well the freedom to export the enormous productions of that area by way of the Mississippi and into the Gulf of Mexico. As for Florida, their idea is to make of it another state to be added to those of this continent.

"In regard to the first plan, the French Minister and I pointed out to them that they were exposing themselves to the risk that before long those new settlers would shake off the yoke of the central government by creating a new republic, because of the freedom which the remoteness of that immense and fertile country offered them, for they could carry on their commerce without the need of communication with any of these states, because navigation by way of the Mississippi River to the Gulf of Mexico would enable them to export their productions to all parts of the world as well as to import everything needed from abroad. The settlers would shake off that yoke even sooner if the English were in possession of Canada, for the English, because of the possibility of trade with them and of importing everything they might need from Europe by way of the Saint Lawrence River, would make every possible effort to alienate the new settlers from loyalty to and dependence upon the United States, promising them every imaginable advantage in addition to independence.

"As for Florida, we said that because Florida was a former possession of Spain, the Spanish Monarch would never complacently see other nations possess it, and that therefore the United States could never flatter themselves that they would enjoy perfect peace and harmony with Spain, although it was our opinion that the United States should continue preparations and efforts to effect the conquest of Florida, in which Spain (if the system of neutrality with England should change) perhaps would join with the naval forces necessary for that conquest, because of the ease offered by the proximity of Havana, and we believed that Spain would not refuse to compensate the United States for the expenses incurred and for whatever seemed reasonable, with the presentation in cash of an amount agreed upon and on stipulated terms, when Spain came into possession of the province.

"With respect to the first plan, that of the interior of the province of Luisiana, in consideration of the reflections expressed (which the President and the members confessed were very fair and reasonable) our opinion was that the Americans should enter into negotiation with Spain for the purpose of turning over to her all of that territory they now held in return for a sum of money in specie, making an agreement on stipulated terms for the payment. With that money they would have enough to cover in part the payment of the enormous debts for which they are obligated, measures which are very difficult for them because specie is exhausted, and although they have an abundance of paper money and can print more, that money cannot be used to pay the debts they owe in Europe. Moreover, they ought to think of a way to make the paper money less abundant so as to make it more valuable than it is now, and the only way to do that is to recall as much of it as possible, paying the equivalent in specie, since with one million in specie they can collect four or more in paper, suppressing as much as possible and reducing the currency to a quantity more useful for circulation in these states.

"These thoughts and several more in the same vein made a favourable impression on the President and the members, who agreed to present and to explain them to

the entire Congress with their own support, so that it could be decided how to make these propositions to the Court of Spain. That is as far as we have been able to advance up to now; we shall see what comes of it; certainly I shall not lose sight of this important objective. The French Minister promised me that he would write to his Court in order to find out whether the King our Sire will support it. If His Majesty approves, his minister to the French Court can begin to confer with the ministers whom these states have in Paris, who ordinarily do nothing more than listen, inform the Congress, and await its instructions.

"As the territory of the interior of Luisiana or Illinois is most important to the members of Congress from the province of Virginia, because it borders on that state and because a majority of the investors in the company mentioned above are settled in Virginia, it is likely that the representatives from Virginia will regard with disfavour the separation of those lands and anything which may lead to the ruin of that company and the plans it has made. Therefore, if His Majesty is pleased to resolve that to take possession of that territory is in his Royal interest, it ought to be negotiated immediately and definitively with the Congress, without giving time for those investors and the rest of the Virginians to comprehend it, for they can cavil and introduce dissension among the members of Congress to thwart that negotiation." Indiferente General, Legajo 1606, Archivo General de Indias, Seville (Aileen Moore Topping translation, DLC).

Francis Lightfoot Lee to Richard Henry Lee

My dear Bror.

Phila. Decr. 25th. 1778

The day on which my last Letter was wrote, Mr. Deane produced to Congress his written narrative of his transactions & accusations.¹ The first the most pompous bloated thing that ever was on paper. The only charges against Doctr. Lee are that he is suspicious, jealous, affrontive to every body he has any business with, & very disgusting to the whole french Nation, by his hatred for them, which he discovers by all his words & actions. Mr. W. Lee is mean, & goes shares with the Agents he appointed. The whole is most grossly abusive of both of them. The Party sucked it in, as nectar & Ambrosia; & say he has acquitted himself most honorably. They whisper about that as they are very moderate, & wou'd not injure any body unheard, they think the best way is to recall them that they justify themselves. This in fact, under the appearance of moderation, is the thing they are working for. They have of their Party ready immediately to fill all the places; & then every thing being in their own hands, we shall have fine work, with the trade which the Continent must carry on for our large advances in Europe. Altho Deane had two Colleages, the word *We*, is never used in his Narrative, *I* did everything. *I* procured all the supplies, bro't about the Alliance, procured D'Estaings fleet, conducted them to America, discover'd the designs of the Enemy & baffled them, in short, I have establish'd the Liberty & independance of America; whose safety & happiness now depends upon my vigilance. You are sufficiently acquainted with human nature, to know

that such magnificent Ideas, inculcated in the most positive style, repeated a thousand times by many Trumpeters; & supported by a Courtly Letter from Count Vergennes; & the *great* Dr. Franklin will have great weight with many. The old Whigs are something benumbed, at the apparent greatness of the Party. I Shall not be surprised at their success, for meanness & wickedness increase daily. If our brothers are not disgraced now, I am sure they will be e'er long, for they will allways stand in the way of bad men; & no villainy will be left unpracticed to ruin them. I believe they mean to push for a speedy decision in favor of Deane. Finance has not been mentioned since my last. No News. Yrs Aftly,

F. L. Lee

[P.S.] I forgot to mention, that I am informed Deane has sent a great many of the Papers containing his Address to Virginia to be circulated there by you can guess whome.²

Mrs. Lee sends her Love to Colo. Lee & all at Chantilly and Stratford.³

RC (ViU: Lee Family Papers).

¹ Deane's "written narrative," which he read to Congress during sessions held on December 22, 23, and 31, is available in *Deane Papers* (NYHS Colls.), 21 (1888): 144-205; and *Papers in Relation to the Case of Silas Deane*, ed. Edward D. Ingraham (Philadelphia: Printed for the Seventy-Six Society, 1855), pp. 17-75. The *Deane Papers* text is taken from the latter (which was printed from Deane's original manuscript then in the possession of a descendant of Henry Laurens), but the former includes an "imperfect continuation . . . attached to the copy preserved in the Sparks MSS, in the Library of Harvard University" that is not included in the earlier publication. Little is known about the document, but for clues to its provenance see the "Introduction" to *Papers in Relation to the Case of Silas Deane*, and especially, p. 71n. For Deane's attendance before Congress at this time, see JCC, 12:1239-40, 1246-49, 1258, 1264-66.

² Lee may have been referring to Benjamin Harrison, a longtime ally of friends of Deane such as Robert Morris in Philadelphia and a political opponent of the Lees in Virginia.

³ This last sentence appears to have been added by Lee's wife, Rebecca Tayloe Lee.

John Fell's Diary

[December 26, 1778]

26th Saturday. Excesive cold morning, Commercial Committee, Present Mr. Lawrence agreed to meet Mr Mumford to morrow morning.¹ 11 A M Congress, A Letter from Abm Clark was Read, with a complaint agst. Genl Maxwell for refusing to deliver some Prisoners detain'd by him and demanded by a Habeus Corpus refferd to a Committee of 3 Vizt. Mr Duane, Mr Burk & Mr Fell. A Memorial was Read Complaining of sundry abuses of Capt. Cunningham of the Revenge. Reffer'd to the Marine Committee. Motion for the Emitions

of May 1777 and April 1778 to be brought in by the first June and not afterwards redeemable.

MS (DLC).

¹ Thomas Mumford's petition to settle his accounts had been read in Congress on December 22. *JCC*, 12:1241. Fell, Francis Lewis, and James Searle signed the following receipt on behalf of the Committee of Commerce to settle Mumford's account on December 28: "Received of Thomas Mumford Esquire Agent for the Continental Congress the sum of three hundred and eighty four Pounds thirteen shillings and seven pence three farthings Lawful Money equal to twelve hundred and eighty two Dollars and twenty five ninetieths of a Dollar, being the balance due from said Mumford as per Account this day exhibited and adjusted." Nicholas H. Noyes Collection, NIC.

John Jay to John Hancock

Sir, Philadelphia 26th Decr 1778

I have the Pleasure of transmitting to you by Order of Congress the enclosed Act of the 10th Inst.¹

No Intelligence of any Importance hath lately been received from any Quarter, except an inaccurate Account of the Enemy having made an Incursion into Georgia with Eleven hundred Men said to have come from St. Augustine.

The Respect & Esteem I have long had for your private as well as public Character renders the commencement of a Correspondence with You very agreeable, and will always lead me to every mark of Attention due to a Patriot, and a Gentleman.

I have the Honor to be, Sir, with personal Regard & Esteem, Your most obedt. & Hble Servt.

J. Jay

LB (DNA: PCC, item 14).

¹ Probably the order signifying Jay's election as president, which he apparently wished to use as the occasion for "the commencement of a Correspondence" with the former president, whom he had known when they had served together in Congress during 1775-76. *JCC*, 12:1206.

John Fell's Diary

[December 28, 1778]

28. Monday. Commercial Committee 9 oClock AM.¹ 11 A.M. Went to Congress, but not being Members sufficient no Congress.²

MS (DLC).

¹ In his diary entry for the 27th Fell had also written: "Sunday. Commercial Committee 9 oClock AM."

² This day Samuel Holten recorded in his diary: "Monday. Great free mason day. Congress adjourned in the morning. I dined with Mr de France & my Colleagues, &c. &c. &c." MDaAr.

Daniel Roberdeau to Elisha Hinman

Dear Sir,

Philada. Decr. 28th, 1778

I thank you for your favor of the 11th and for *the very little* I have enjoyed of your worthy friend Mr. Mumford's acquaintance. I am very sensible of your merit and shall not be wanting in my commendations. Present my respectful Salutations to Mrs. Hinman and I accept with thanks your and her Congratulations on my late marriage.¹ Mrs. Roberdeau joins me in respects to you both. I am, Dr. Sir, Yr. most ob. hum. Serv,

Danl. Roberdeau.

RC (DNDAR).

¹ Roberdeau had been married to Jane Milligan of Philadelphia on December 2. For the death of his first wife, Mary Bostwick Roberdeau, in February 1777, see these *Letters*, 6:550.

John Fell's Diary

[December 29, 1778]

29. Tuesday. Commercial Committee 9 oClock. 11 AM Congress. This morning waited on General Washington, about the Exchange of Lashier & Brower, his answer that he had allready demanded them of Sr Henry Clinton.¹

A Request from the French Minister to Prevent the Carrying Masts from New Hampshire and the Masachusets Bay to St. Domingo for fear of falling in to the hands of the Enemy.² Motion for 2 Brigr Generals for North Carolina 1 for Philadelphia & 1 for So Carolina. Finance.

MS (DLC).

¹ Washington had written to Sir Henry Clinton on December 26 protesting the harsh treatment of Abraham Brower and John Lozier, members of Maj. John Goetshius' battalion of New Jersey militia, who were accused by the British of murdering loyalist Capt. John Richards while he was visiting his family in Bergen, N.J., on January 29, 1777. Brower and Lozier denied the charge and asserted they had killed Richards in self-defense while trying to capture him.

Clinton replied on January 23, 1779, that he still considered them bandits, but in response to Washington's request he was ordering their exchange. See Washington, *Writings*, (Fitzpatrick), 13:454, 14:69; and *Documents Relating to the Revolutionary History of the State of New Jersey*, 2d ser. 2:32, 47-48, 134. Clinton's letter is in the Washington Papers, DLC.

² See John Jay to the Massachusetts Council, this date.

Samuel Holten's Diary

Decr. 29 1778

Tuesday. Congress sit 'till about 4 oClock. Genl. Washington, The Prest. of congress, The minisr. of France, The Prest. of this State, The Revd. Mr. White & several other Gentln. dined with us.

MS (MDaAr).

John Jay to the Massachusetts Council

Gentlemen, Philadelphia 29th Decr. 1778

On perusing the enclosed Act of Congress passed this Day, you will find it to contain a Recommendation which they deem to be of great Importance.¹

The patriotic Exertions of Massachusetts Bay in the Course of this great Cause and Conflict, saves me the necessity of pressing your Attention to a Measure, evidently calculated to distress the Enemy and advance the Interest of the united States.

I have the Honor to be, Gentlemen, with great Respect your most obedient and h'ble Servt.

John Jay

RC (M-Ar: Revolutionary War Letters).

¹ Congress had resolved to ask Massachusetts and New Hampshire "to prevent any masts or spars from being exported from or laden on board of any ships or vessels within the ports of the said States" in response to intelligence received from Conrad Alexandre Gérard that the British were preparing to intercept American ships exporting masts to the West Indies to relieve the severe shortages experienced by the British fleet at Rhode Island. *JCC*, 12:1259-60. This day Jay also sent a similar letter to New Hampshire governor Meshech Weare. *PCC*, item 14, fol. 7.

Samuel Holten's Diary

Decr. 30 [1778]

Wednesday. Thanksgiving day.¹ I attended public worship & dined at the city tavern. The Pres. of Congress, the minisr. of France, Genl. Washington & about 60 other Gentln. dined with us. Mr. De France, invited the Com. to dine. I wrote to the revd. Mr. Wadsworth & Mrs. Holten (No. 35) by the express.

MS (MDaAr).

¹ John Fell had simply noted in his diary for this day: "Thanksgiving day, No Congress." John Fell Diary, *DLC*. Notwithstanding the implication contained in Fell's entry, that Congress did not meet because December 30 had been designated

a day of thanksgiving, Secretary Thomson recorded in the journals this day: "There not being a sufficient number of states to proceed to business, Adjourned to 10 o'Clock to Morrow." See *JCC*, 12:1110, 1135, 1138-39, 1264.

John Jay to George Clinton

Dr. Sir,

Philadelphia 30th Decr. 1778

In a private Letter I wrote You on the 19th Inst. by the Post, I requested that the Maps & Papers relative to our disputed lines & those which more immediately respect the pretended State of Vermont might be sent me by a trusty Messenger. I now repeat the request & am the more convinced of it's propriety as my Colleagues concur in it.¹

Accept the Compliments of the Season, & be assured that I am, with great Respect & Esteem, Your Excellencys most obedt & Hble Servt.

LB (DNA: PCC, item 14). Endorsed: "N.B. This is a private Letter & entered by Mistake."

¹ A second paragraph of four indecipherable lines that have been lined out appears following this sentence in the LB.

Thomas McKean to the Public

For the Pennsylvania Packet Philadelphia, December 30, 1778.

Many Gentlemen will, I know, blame me for condescending to take any notice *in this way* of an infamous libel, subscribed William Thompson, Brigadier General, published in the paper of Tuesday last;¹ but though the Man is beneath even my contempt, the Brigadier merits a little attention.

After trumpeting his own virtues, conduct and courage, he informs the public of his veneration for Congress, but that one of their Members had basely treated him in a subject, which had no reference to his conduct *as a Member of Congress*, and that upon his publicly resenting it he attempted to treat it as a breach of privilege of Congress, complaining to them that his resentment proceeded from the part the Member had taken in the exchange of Governor McKinly—That his resentment was from a matter of a *private nature*, and did not relate to his conduct in Congress.

Notwithstanding the great veneration the Brigadier expresses for Congress, he in this gives them indirectly the lie, because he knew at the time, that Congress had finally voted, *that he was guilty of a breach of privilege*. I have reason to believe also he was informed, that I moved, that his long pathetic apology (which appears to be artfully composed) was satisfactory, so far as it related to myself, and

that I joined in voting it satisfactory generally; though I disliked the manner in which he expressed himself with regard to President McKinly. It seems a little strange, that this last Gentleman, has been taught to believe, that I obstructed and delayed his exchange, out of favor to the Brigadier, until I received positive instructions on that head from the Delaware State, which I have the honor to represent; and that the Brigadier should think it was through my influence that the other Gentleman succeeded in preference to him. The material parts of this transaction must now be published; and if I am not greatly mistaken, the apology, independent of clear evidence (though my own and Mr. Justice Atlee's, who knew most of the matter, is out of the question) will be found to contradict the publication under consideration.

There was an affair at Carlisle, in Cumberland County, when I attended a Court of Oyer and Terminer there in April last, which the Brigadier took notice of, after he had vented a torrent of abuse about the exchange; and which not appearing from the evidence, as it was deemed by Congress impertinent to the matter before them, I shall give a brief narration of.

A Capt. in our army, whose name I do not recollect, applied to me there, and shewed me orders from His Excellency General Washington to take up deserters in Pennsylvania; he told me the General directed him to call upon me, that he might have the support of the civil authority in the execution of this useful service. I accordingly gave him a warrant, and promised him every legal assistance. The next day the Captain called upon me and informed me that he had taken up a deserter, and that he was rescued or detained from him, and requested that I would give him a precept to arrest the party: I began, in consequence, to write one, when I asked for the name of the party; he told me it was Brigadier Thompson; upon which, as I had not administered an oath to him, I said I could not give a warrant for him, he was a Gentleman, and then a prisoner of war, but I would write him a letter, which would answer every purpose; and accordingly I wrote a few lines,² mentioning the complaint, and requesting him to call upon me, *if convenient*, that day or the next, and I would endeavour to settle it: I shewed it to Justice Atlee, sealed it and sent it to him by a private hand. He came the next day a little before dinner; I asked him to sit down and take a drink, he excused himself, and we retired into an adjoining chamber, where he told me the man was his servant, and that he had been inlisted (I think) in an independent company which was afterwards regimented, and that the Captain was to deliver him up at the end of the year, which he had done accordingly. I told him I wished he would acquaint the Captain with this, but he said he would not, and seemed very angry with the Captain; I replied, then I will, if he calls upon

me. Here the matter rested, and I invited him to dine with the Judges, but he excused himself and went away. This was all that passed on the occasion. Excepting this transaction, which was not of a private nature, I never had any affair whatsoever, public or private, with the Brigadier, and I never mentioned this, nor even thought of it afterwards, it made so small an impression upon my mind. Now I call upon Brigadier Thompson, to mention the affair of a *private nature* he alludes to, for I know it not. I never did him, nor wished an injury, nor had an angry word with him in my life, previous to his rude behaviour in the Coffee-house. Indeed I have had very little acquaintance with him personally, but from a regard for some of his connections I rendered him what little services lay in my way.

The Brigadier is unfortunately a prisoner of war; and as the first Chief Justice of a new Republic nothing shall shake the Ready purpose of my soul, by my precepts and example to maintain peace, order and the laws and also the dignity of my station. The honorable offices I hold were freely conferred upon me, without the least solicitation on my part, and without my previous knowledge. It was greatly against my interest and inclination to accept them, but private opinion and private interest were over-ruled by public consideration; and it is well known, that office is no new thing to me, and that none of the insolences sometimes attending the possessors ever appeared in any part of my conduct.

I shall take no farther notice of the low, vile epithets contained in this publication, than to inform the Author and Printer, that both are equally criminal and punishable;³ and that I cannot set the precedent obliging a Member of Congress or a Magistrate to subject himself to a duel with every person against whose opinion he gives his vote or judgment.

THOMAS MCKEAN

MS not found; reprinted from the *Pennsylvania Packet; or the General Advertiser*, December 31, 1778.

¹ William Thompson's explanation of his dispute with Thomas McKean was printed in the *Pennsylvania Packet* on December 29. After Thompson's published letter brought the issue into the public eye, the Pennsylvania Executive Council began an investigation into the matter. When Thompson refused to attend a January 6, 1779, summons to testify before the council, however, the investigation died down. See Thomas McKean's Charges against William Thompson, November 19, 1778; *Pa. Council Minutes*, 11:653, 659-60; *Pa. Archives*, 2d ser. 3:262-63; *Pennsylvania Packet*, February 24, 1779; and Gail S. Rowe, *Thomas McKean: The Shaping of an American Republicanism* (Boulder: Colorado Associated University Press, 1978), pp. 147-52. See also Thomas McKean to the Public, February 1, 1779.

² Not found; but see Charles Thomson's Notes of Proceedings in Congress, November 23, 1779.

³ McKean filed suit against Thompson and the printer, John Dunlap, and in 1781 he was awarded more than £5,700 in damages. These McKean refused to accept, however, claiming satisfaction with the legal justification of his charges against Thompson and Dunlap. Rowe, *Thomas McKean*, p. 152.

John Fell's Diary

[December 31, 1778]

31st. Thursday, did not go to the Commercial Committee. Congress. Mr S Deane attended with his Narrative.¹ Sundry Letters read from Genl Gates, Genl Phillips &c. finance &c.

MS (DLC).

¹ For Silas Deane's "narrative," see Francis Lightfoot Lee to Richard Henry Lee, December 25, 1778, note 1.

Samuel Holten's Diary

Decr. 31 [1778]

Thursday. The last day in the year. I dined with Mr. de Miralles a Spanish Gentln, Mrs. Washington & 7 other ladies dined there, G.W. & about 40 other Gentln. of the first charactor dined with us, the entertainment was grand & elegant, & at Mr Gerards house.¹

MS (MDaAr).

¹ This "entertainment" was actually hosted by Juan de Miralles, Spain's agent to the United States. As he explained in his February 15, 1779, report to Diego José Navarro, governor general of Cuba: "Because my house is not yet equipped for such entertaining, I availed myself of that of the French Minister, who provided in it everything which might contribute to the most brilliant success, which has been much applauded, even to putting it in the public papers. . . . It is impossible to exaggerate to Your Lordship the general acceptance, courtesy and respect with which I am regarded by all these citizens and by persons who hold the highest offices, which they take pains to show to me and to make known to others." *Papeles Procedentes de Cuba*, Legajo 1281, Archivo General de Indias, Seville (Aileen Moore Topping translation, DLC).

Francis Lewis to George Clinton

Dear Sir,

Phil. 31st Decemr. 1778.

I have been honored with your letter of the 16th instant; I shall with pleasure embrace every opportunity of giving you the earliest advice, when any thing material happens.

The State of our Finances and the rapid depreciation of our paper currency is truly alarming. Congress had several weeks past allotted two hours each day for the purpose of Financing; and have at length passed the following Resolves; vizt. that 15,000,000, say fifteen mills. of dollars be called in by taxes in the course of the ensuing year; and that thirty mills. more be taken in on loan or to be exchanged for a

a new emission to be provided for that purpose: the bills thus to be called in are of the emissions of May, 1777, and April, 1778, entire, which amount to \$24,500,000: ¹ that these emissions be not redeemable after the 1st day of June next, but that Sixty days after said 1st June be allowed for bringing those bills into the Treasury or loan offices: these resolves will be published in the newspapers in a few days. The next thing under the consideration of Congress is, the establishing a permanent Sinking fund, for which purpose a special Committee have a plan ready to report this day, and I hope by these modes we shall be able to give our money an appreciation.²

Upon a strict Scrutiny into the money countèrfeited, it is discovered that they chiefly consist of the emissions May 1777 and April 1778; by the enclosed abstract, you will see it at one view.

Wishing you the compliments of the season, I have the honor to be, Sir, your obedt. Humble servant, Fras. Lewis

Tr (MH-H: Sparks Manuscripts).

¹ The sum actually to be withdrawn was \$41,500,000. See John Fell's Diary, December 16, 1778.

² The plan for a sinking fund was adopted by Congress on January 2, 1779. See *JCC*, 12:1266-67, 13:11, 20-23.

Henry Laurens' Notes on South Carolina's Defense

[December 1778] ¹

South Carolina, admitting a full Months time for preparation, & no alarms from the Indians, may bring into the Field—10,000 Men, one half of them badly clad & as badly Armed.

Should the Indians be in action or threatening the Inhabitants of the back Country will not leave their families exposed on that frontier—in such Case 4 or 5 thousand is the most Militia that can possibly be collected for defence of the Sea Coast.

The Enemy by landing 2000 at Winyaw will meet little or no opposition in plundering & ravaging all the Northern part.

2000 more landed at Beaufort may act in the same manner to the Southward including all the Islands.

5000 with a few frigates may very easily take possession of Fort Johnson & Charles Town—securing the mid-country.

Fort Moultrie falls of course without firing a Gun against it.
Plunder—

Not less than 50000 Barrels of Rice in three Weeks.

Immense quantities of Indian Corn, Pease, Flour, &c.

Indigo at least half a Million horned Cattle, Sheep, Hogs &c

10,000 Negroes—

very great quantities of Merchandize—150 to 200 Sail of Ships & other Vessels for transporting the provision & Negroes—Warlike Stores &c.

We have no fleet to retake the place—if we call foreign aid, it will be ineffectual—because four fifty Gun Ships & sea frigates within will bid defiance to the whole fleet of France.

Georgia will fall immediately or may be over run by the Troops from St. Augustine & 500 Indians.

MS (DSOC). In the hand of Henry Laurens and endorsed by him: "Notes from whence I remonstrated to Congress on the danger to which So Carolina & Georgia were exposed in December 1778—which I had often done at former periods."

¹ As Laurens' endorsement indicates, these notes consist of the points he raised in Congress to remind the delegates of the vulnerability of South Carolina and Georgia to British invasion—something that had been a source of concern to him since at least September 1778. Although the notes cannot be assigned a more specific date, Laurens probably did not compose them until after his resignation as president of Congress on December 9. For a related document written after Congress learned of the invasion of Georgia, see Laurens' Notes on a Georgia Campaign, January 20, 1779.

Henry Laurens' Proposed Resolve on Silas Deane

[post December 31, 1778] ¹

That his having been engaged in private Commercial Trade while he was acting in a Public Character in France his further & more extensive engagements of the same nature since his arrival in America & at a time when he was strenuously endeavouring to impress upon Congress a belief of the utility of & even necessity for his return to Europe in a Public Character do not entitle him to that approbation which he wishes to infer from the past silence of this House, that his conduct in these respects particularly, is highly reprehensible, altogether inconsistent with his professions of disinterestedness in the Public service & contradictory to his declaration that from the "Moment he engaged in the foreign affairs of Congress he put everything private out of the question."

MS (ScHi: Laurens Papers, no. 20). In the hand of Henry Laurens.

¹ It is not known for what purpose Laurens drafted this proposed resolve, but it seems likely that he was responding to two specific passages contained in the "narrative" Silas Deane read in Congress on December 22, 23, and 31, 1778. These passages read as follows: (1) "It is now three years since my engaging in the foreign affairs of Congress . . . , but from the moment I engaged I put everything private out of the question." *Papers in Relation to the Case of Silas Deane*, ed. Edward D.

Ingraham (Philadelphia: Printed for the Seventy-Six Society, 1855), p. 58. And (2) "Not to have merited the approbation of Congress, situated as I have been, necessarily must be to deserve their severest censures." *Ibid.*, p. 74.

Although no evidence has been found to indicate precisely when Laurens wrote it, the document has been placed here so that it may be studied in the context of the reading of Deane's "narrative," which was completed this day.

John Fell's Diary

Januy 1st 1779.

Fryday. Commercial Committee 9 oClock. Congress. Letters from G Gates to G Washington and answers relating the Canada Expedition. Letter from the Governor of Connecticut to their Delegates relating to the better allowance to Officers referd to a Committee of 3 vizt. Mr Smith, Mr Root & Mr Atley.¹ Letter from Israil Ward² of the State of New York, relating to his house being burnt by the Enemy, Referrd to a Committee of 3. vizt. Draton, Burk, & Fell. Finance. President requested to invite Genl Washington to Dine. At 6 P M Commercial Committee.

MS (DLC).

¹ For further information on the Connecticut officers' petition, see Connecticut Delegates to Jonathan Trumbull, January 4, 1779, note 2.

² That is, Stephen Ward. See John Jay to Stephen Ward, January 15, 1779.

Daniel Roberdeau to Joseph Reed

Sir,

Congress, Jany 1st, 1779.

The proceedings of Congress respecting the Honble Chief Justice McKean and General Thomson are ordered to be made out immediately, and shall be furnish to The Honble The Council, agreeable to their desire, signified in a Letter from you to the Delegates of this state of yesterday's date, with which they are just now honored.¹ I am, with the Compts of the season, Sir, Yr most ob. & very hum. ser.,

Daniel Roberdeau²

MS not found; reprinted from *Pa. Archives*, 1st ser. 7:137.

¹ Although the council's December 31 letter requesting a copy of Congress' proceedings on the McKean-Thompson dispute has not been found, its order of the same date requesting the delegates to transmit this evidence, "so far as Consistent with their duty to Congress they are [at] liberty to make the same known," is in *Pa. Council Minutes*, 11:653. See also Thomas McKean to the Public, December 30, 1778, note 1.

² Another matter of concern to the Pennsylvania Council during this period was the attendance of its delegates to Congress. A December 31 letter from the council to its absent delegates (apparently intended for John Armstrong, Sr., Edward

Biddle, William Clingan, and William Shippen, Sr.), which was designed to ensure that the state would maintain at least three delegates in attendance at all times, is in *Pa. Archives*, 1st ser. 7:134. See also *ibid.*, p. 158; and *Pa. Council Minutes*, 11:649.

John Fell's Diary

[January 2, 1779]

2d. Saturday. 9 oClock. Do [Commercial Committee]. 11 A M Congress, Letter from Mr McDonald of Salem County,¹ complaining of not being Paid for sundry goods taken per officers, Referrd to a Committee of 3. vizt. Roberdeau, Root & Fell, Answerd Wards Letter, Mr Hopkinsons Sallery Voted 3500 Dolls. Preamble to the Finance Bill agreed to be Printed. Dined with the So Carolina Delegates. City Tavern.

MS (DLC).

¹ That is, John Donnell, to whom Congress eventually awarded \$1434 76/90 for clothing he supplied to the army in November 1777. See *JCC*, 13:16, 305, 14:699.

Samuel Holten's Diary

[January 2, 1779]

2. Saturday Congress sit 'till after 4 o'Clock. The Delegates of South Carolina, invited the Congress & Genl. Washington to dine with them at the city Tavern. Financing Published.

MS (MDaAr).

Samuel Adams to Samuel Cooper

My dear Sir

Jany 3 -79

I embrace the opportunity which now offers of writing a few Lines to you. In my last I told you I had many things to say particularly concerning A L & S D Esqrs.¹ If I could have the Pleasure of sitting with you by a fire Side, I would more freely open my Mind to you than I chuse to do upon Paper, considering the Risque of its falling into wrong hands. One of these gentlemen, as I was informd in the year 74 by some who were well acquainted with him, was of a dubious political Character, and was appointed a Delegate in Congress by a Majority of only one of the Electors; it being thought that his own Vote turnd it in his favor. In 75 he was again elected; and he very

early attachd himself to Men of different Sentiments from those which most if not all your Delegates brought with them from your Country & strenuously maintaind. This Difference of Sentiment was said to arise from local Attachments, but in Reality they arose from different Principles & Views. What Mr Ds political Principles were if he had any I never could learn. His Views always appeard to me commercial & interested. Whether I was mistaken or not Time perhaps will soon discover. He was very little known in America till the year 75, if at all in Europe.

The other took an early, decided and active Part in Support of our great Cause. In London he had a great Share in the open opposition made to the Tyranny of the British Court & their Measures respecting America. There he turnd his Attention from the Practice of Physick to which he had been regularly educated in Edinburgh, to the Study of the Law. This he did by the Advice of some of the most able Advocates for the Liberties of America, from the opinion they had conceivd of his promising Usefulness to that Cause in that Way. He answered their Prospects. He constantly aided your Agent the late Mr De Berdt² to whom his Knowledge of Affairs rendered his Services essential. That his Pen was employd for America in General, his Junius Americanus abundantly testifies; and that, and his other Publications witness his Attachments to Massachusetts Bay & South Carolina in particular. His private Letters to his Friends were written with that Freedom as well as Zeal, which would have exposd him to the Risque even of his Life from the Resentment of an unprincipled & nefarious Court, if any of them by Accident or Design had fallen into their Hands. This I know to be true. I must conclude at present with giving it to you as my fix'd Opinion, founded on particular observations, that there is a joynt Combination of political & commercial Men to exclude all vigilant Patriots from publick Councils & Employments knowing that Vigilance & unimpeachd, unsuspected Fidelity will be an effectual Bar to the carrying such politico commercial Plans into Execution.³ I will write to you again by the first good Opportunity. In the mean time I am with perfect Esteem,

Yr affectionate Friend

FC (NN: Adams Papers). In the hand of Samuel Adams.

¹ That is, Arthur Lee and Silas Deane. For Adams' "last" see Adams to Cooper, December 25, 1778.

² Dennys DeBerdt (1695-1770), the Massachusetts General Court's agent in London, 1765-1770.

³ Unbeknownst to Adams, Samuel Cooper had already been secretly retained by the French minister, Conrad Alexandre Gérard, to defend French interests in the public prints and private parlors of Boston. Gérard reported in a January 17, 1779, letter to the comte de Vergennes that Cooper had been retained for "200 livres Sterling" annually to plead French causes. Cooper apparently caught Gérard's attention after coming to the defense of the comte d'Estaing, with whom Cooper

had become friendly when the French fleet put into Boston for repairs following its encounter with a storm off Rhode Island in August 1778. In approaching Cooper, Gérard had been able to use Joseph de Valnais, the recently appointed French consul in Boston. See Charles W. Akers, *The Divine Politician: Samuel Cooper and the American Revolution in Boston* (Boston: Northeastern University Press, 1982), pp. 265–303; William Stinchcombe, *The American Revolution and the French Alliance* (Syracuse: Syracuse University Press, 1969), pp. 66–67, 118–24.

The irony of Adams' relation with Cooper at this time is underscored in the following passage from Stinchcombe's study summarizing Gérard's purposes in employing Cooper to promote French policies in New England: "Although Gérard did not admit it, he hired Cooper in an effort to diminish the influence of Samuel Adams in his home state." *Ibid.*, p. 122. For Cooper's considerable skills as a propagandist, see also John C. Buchanan, "The Justice of America's Cause: Revolutionary Rhetoric in the Sermons of Samuel Cooper," *New England Quarterly* 50 (March 1977): 101–24.

James Duane to George Clinton

Sir,

Philad. 3d Jany. 1779.

I have now the honor to acknowledge the receipt of your Excellency's favor to me, and to the Delegates collectively.¹ The letter with the enclosures were delivered to the President, as we consider the subject of the revolt from our state particularly within his province; he being delegated for the express purpose. I cannot but think he will be at a loss for the maps whenever he finds an opportunity to take it up: your Excellency's remarks ought certainly to hasten a determination: for a more favorable conjuncture than the present is hardly to be expected. Mr. Jay has not yet held any conference with his colleagues on this interesting business: but intends soon to form a resolution, and prepare the way for its successful reception.² With respect to your favor to me individually it is only necessary to observe that any assurance for the faithful application of the Specie remitted to you by Congress must be totally Superfluous.³

When I joined Congress I found they had for some time been engaged in the business of Finance, but had made an inconsiderable progress. As Chairman of the Treasury I was officially called to an active part. It was not till yesterday that Congress agreed on a plan for funding the money emitted in Bills of Credit; a copy will be transmitted to your Excellency by the President; to give conveyance to which I have ventured to detain the express two days. If the different legislatures heartily support the arrangement proposed by Congress, I flatter myself the public credit will be restored: for sufficient and known funds being once established for sinking the debt in a reasonable period, the good sense as well as monied interest of America will be on the side of government. The danger lies not in the past; but the future increase of paper money, should the war unhappily be protracted. To prevent such increase it is proposed to

borrow money; abroad for supplies of clothing, arms, and ammunition; at home for pay and subsistence. The first will be promoted by our ally; the last by the security derived from our sinking fund; by an immediate tax to the amount of near one fifth of the paper in circulation, and by proscribing and calling in two large emissions, which are now in circulation and artfully counterfeited. It is true the bills of those emissions may be exchanged for others where the holder prefers it to loan office certificates: but in most cases he will choose the latter: because from necessity he must wait some time before the bills for the exchange can be prepared and transmitted. Should all this fail, other means must be found out to encourage the loan. I think they are within our reach. This is however a very delicate Subject. It must readily occur that it would be pernicious to give the paper money a great and sudden appreciation. As a medium it has passed from the public for more than five for one during the last ten months in which by far the greatest part of our debt has accrued. If it should be redeemed on a par, or at three or even four for one, the public would pay a premium for their supplies greater than ever was known, or which the richest nation could bear. True policy therefore lies in inclining the money towards an appreciation for the present; from the nature of things when the war closes commerce revives, and the quantity is diminished by the operation of taxes it must rise in estimation. In all probability the bills which shall last be cancelled will be equal to the nominal value compared with specie; and that they will gradually grow better as they approach nearer and nearer to that period. I am aware of the uncertainty of all speculations upon this intricate subject.⁴ The remedy must be addressed to the reason as well as the Avarice of the people.

Yesterday Col. Floyd Join'd us⁵ with an Intention of continuing here till the first of April. His Affairs he says will then call him home, & he must watch the Moment when he may repossess his Estate. The Consequence I fear will be that this Winter we shall have five Delegates when three woud have served very well: & next Summer we shall probably be without a Representation. This I know was not the Meaning of the Legislature; they do not wish to be so profuse of their Money; & meant that three shoud stately serve and the other two be a Relief at seasonable periods. I wish the Legislature woud empower your Excellency to settle our Ration of duty: it is really necessary & I feel myself particularly interested in it. It will give your Excellency Pleasure that Mr Duer has left Congress with high Reputation. His abilities and Perseverance and his extensive Knowledge of whatever concern'd the Army reflected Honour on the State from which he came; and tho' he has some Enemies, has secured him a place among the respectable Patriots and publick servants of these States.

Love of Justice will engage your Excellency, without arguments, to represent him to his Constituents in the Light he deserves. You may remember, Sir, his Resignation was accepted in Silence and he apprehends with cold Indifference. My Feelings were hurt to find a Gent. who had been so active in our Cause and had discharged his several Employments with the most painful Solicitude and unwearied Diligence mortified under a seeming neglect for intentional it could not possibly have been.

Be pleased Sir to accept and to entreat Mrs. Clinton to accept the Compliments of the Season and my best Wishes for your Happiness.

I am, with the highest Respect, Sir, Your Excellency's most Obedt humble Servant.

Jas. Duane

Tr (MH-H: Sparks Manuscripts); RC (NHi: Duane Papers).

¹ Governor Clinton's three December 17, 1778, letters to James Duane and the New York delegates are in Clinton, *Papers* (Hastings), 4:392-96.

² John Jay had been directed to procure a settlement of New York's boundary dispute with Vermont. See New York Delegates to Clinton, December 1, note 2, and Duane to Clinton, December 10, 1778, note 2.

³ Clinton had assured Duane that the money sent him to find evidence of infractions of the Saratoga Convention would be "faithfully expended."

⁴ The remainder of the letter is from the RC, the surviving fragment of which begins at this point.

⁵ See *JCC*, 13:15.

James Duane to Robert R. Livingston

My Dear Sir,

Philadelphia 3d January 1779

Your friendly Favour of the 5th of December gave me great Pleasure. I *feel* that you do me no more than Justice in believing that I deeply interest myself in the Happiness of your Branch of our Family: to contribute to it in any degree would afford me the highest Gratification. In the Instance you do me the Honour to point out I have made all the Enquiry in my Power. Not one of our old Md Friends are here, except Paca, and he resides very distant from the Family in Question: I have therefore been under a necessity of using the greater Caution. I learn only that it is very reputable, but this is thro' a Gent. not sufficiently acquainted to ascertain their Fortune and Connections, which you wish to know.

It is my misfortune that I missed the Opportunity of conversing with you on the State of of our Publick affairs before I set out on my Journey. I fully intended it, convinced that I should have been furnished with many useful Hints & much profitable Information: & particularly on a Subject of the most Importance—I mean our Finances. On taking my Seat I found Congress had for some time

been contemplating & talking over this Business: but nothing had been done conclusively. As I was obliged to resume my place at the Treasury, Geary being literally worn down, & no other Member having a knowledge of our money matters sufficiently comprehensive, I was officially called upon to take an active part in Arranging our Finances. What has been done you will see from the Resolution now forwarded to the Governour.¹ If the Legislatures support the views of Congress I have no doubt but that we shall be able to restore Publick Credit. Let the present debt be properly funded and the good Sense as well as the monied Interest of America will be on our Side; for you will readily See that the whole of the present Emissions can by a moderate Tax be sunk within the Compass of eighteen years. Where then is the danger? Not in the past, but in the future Exercise of paper money. To prevent such an Encrease we *must borrow*; ABROAD for cloathing, Arms, Artillery and Ammunition; AT HOME for pay and subsistence. The first will be promoted by our Alliance; the last by the Security derivd from the sinking fund; by an immediate Tax to the amount of a Sixth of the Sum in Circulation; & by proscribing two of the Emissions which are greatly counterfeited. It is true the Bills of those Emissions may be exchanged for others if the holder prefers it to a Loan Office Certificate: But in most cases he will choose the latter, because, from necessity, he must wait some time before the Bills of Exchange can be proposed & transmitted. Shoud all this prove ineffectual other means must be found out to promote the Loan. I think they are within our Reach; This is a very Delicate Subject. You will easily see that it woud be fatal Policy to give the paper money a sudden & extensive Appreciation. On a medium it has not passed for more than five for one the last ten months. If it is to be redeemed on a par or for three or even four for one the publick woud pay a higher premium than ever was known, or which any nation could bear: True wisdom therefore lies in inclining the money towards an Appreciation for the present: from the Nature of things when the War ceases & the Quantity is diminished by the operation of Taxes, it must rise in Value: In all probability the Bills which shall be last cancelled will be equal to the nominal Value compared with Specie. I shall transcribe these Hints respecting our finances for the Governour. You will communicate them to our Friends if of moment.

My Friend Col. H.B. Livingston has passed some Time with us. We lodged in the same House. I have twice been on a party to Visit Mr & Mrs. C. Livingston. He is a favorite in that Family. His military Reputation is high in Congress. They see with Reluctance his Intentions to Resign, & to give Time for Reflection have referred his Letter on that Subject to the Board of War. If he persists it must I suppose be accepted.² Interested as I find myself in his Welfare I

have taken the Liberty to advise him to serve another Campaign. I believe I made but little Impression. About three weeks ago he went to the Northward: with an Intention I conjecture to pass some time with your Lady's Family in the Valley. I do not think he is insensible of the charms of the Ladies in that Quarter; particularly of Miss Rutherford's. Duer was to have accompanied him in order it is reported to put an End to long Courtship by a happy Marriage. He is detain'd here having taken up the Pen for Mr. Deane against Common Sense,³ & to settle a Mercantile Connection which promises much advantage. You may be assured that his Abilities & Perseverance in Congress have done Honour to our state and great Service to the Publick Cause: particularly at the close of last Winter. From the Delegates of one of the States he has had the Compliments of requesting his Picture as a distinguished Patriot. He is hurt at the Coldness of our Legislature who have paid him not the least Compliment on his Resignation but seem'd to accept as a matter of Indifference Convinced of the Truth of the Maxim that a Prophet has no Honour in his own Country, he must be contented with his Continental Character which notwithstanding he has some Enemies is very respectable.

I am affected with Mr. Tetards Circumstances. Let me know whether he woud wish to be Chaplain at the Forts in the Highland & whether there is a Vacancy. I will get it for him or any thing else which can be pointed out & my good offices can procure.

Is it your Opinion that Genl. Schuyler ought to continue in the Army, or to accept of the Presidency of Congress, which is intended for him? Will not the former be more advantageous to the publick & to our State in particular. Is it not more for his own Honour to be second in the Command of our Army, than to take the Chair for a year on Condition that he resigns his Military Employment? I am clear for his Continuing in the Army. He is now honourably acquitted from every Imputation & Suspicion, & his Enemies put to Shame or at least to silence. He can do as much real Service as any Individual especially preventing the misapplication of our Force, & retrenching the publick Expenses. He stands high with the Army & the Commander in Chief. His advice with respect to the Defence of our State will from his Intimate Knowledge of the Country be decisive.

Consider these Remarks and if they make an Impression give him your advice.

Col. Floyd arriv'd here yesterday. We have now five members: in the Summer I suppose we shall have none for he tells me that he can serve no longer than until the first part of April. The Intention of the Legislature was to have three always on Duty, which by a proper Rotation might have been effected. Woud it not be wise to

give the power of fixing the Rotation to the Governour? It was expected we should have done it ourselves, but the Col. never consulted us about this Journey: I indeed told him at Poghkeepsie that I expected he would relieve me the first of May: but his appointment is not like to give us the least Recess.

Present my affectionate Compliments to your Momma & Your Lady & Sisters. My friend John I presume is at Boston. To all I wish a Series of happy years, Being with real Esteem, Dear Sir, Your most obedient & Affectionate Servant,

Jas. Duane

RC (NHi: Livingston Papers).

¹ For the transmission of these financial resolves to Governor Clinton, see John Jay to the States, January 10, 1779.

² Congress accepted the resignation of Henry Beekman Livingston, Livingston's younger brother, on January 13. See *JCC*, 12:1148, 13:58; and these *Letters*, 9:36n.2.

³ Duane's testimony that William Duer had taken up his pen for Silas Deane against Thomas Paine is the most explicit delegate statement found for establishing Duer's role in the Deane-Lee controversy, a conclusion also supported by other evidence. Conrad Alexandre Gérard was told that Duer was the author of the defense of Deane printed in the December 15 issue of the *Pennsylvania Packet* over the pseudonym "Senex." And John Laurens was told by Silas Deane himself that he and Duer had assisted Col. John Parke in preparing the attacks on Thomas Paine signed "Philaethes" that appeared in the *Packet* on January 19 and 23 to which Henry Laurens responded over the pseudonym "Philopatros." Finally, it is also highly probable that Duer was the author of the sweeping defense of Deane published over the signature "W.D." in the *New York Journal and the General Advertiser* on January 11 and reprinted in the *Pennsylvania Packet* on January 28, 1779. See Meng, *Gérard Despatches*, pp. 429, 500; *Deane Papers* (NYHS Colls.), 21 (1888): 81-86, 335-41; and Henry Laurens to Philaethes, January 23, 1779, note 1.

The following extract is taken from Senex's essay printed in the *Pennsylvania Packet* on December 15, 1778. It is of particular interest in its emphasis on the essential "propriety" and "decency" of Deane's activities and in its appeal to popular prejudice against the plural officeholding of the Lee family.

"Sir, When the publication of Mr. Silas Deane appeared in your [John Dunlap] paper of December 5th, notwithstanding the facts there asserted, and the respectability of the character who openly laid them before the public, I was willing to suspend my judgment. I expected that some of Mr. Lee's friends, or connections, would at least have attempted to disprove such of the facts alleged in the address, as from their acquaintance with public transactions, and their intimate correspondence with Messieurs Arthur and William Lee, they must necessarily have it in their power to satisfy the public mind on, without any delay.

"The facts I allude to are these—Whether Mr. Arthur Lee is, or is not, Commissioner both to the Courts of Versailles and of Madrid?

"Whether he was not an intimate acquaintance of Dr. Berkenhout, corresponded with him on subjects of a political nature during Mr. Lee's residence at Paris, and gave him letters of introduction to his brother the Honourable R. H. Lee?

"Whether Mr. William Lee is, or is not, Commissioner to the Courts of Vienna and Berlin, and Commercial Agent for the Congress in Europe?

"Whether this Gentleman did not, since his appointment to offices of public trust under the United States, hold his office of Alderman of the city of London, and whether he does not still hold that office?

"Whether Mr. Williams of Boston, who transacted the commercial business of these States for two per cent., has not been displaced; and whether Mr. Lee, with

his Agents, do not receive five per cent. for doing the same business.

"These surely are points which require no long consideration to answer, and in which the interest, safety and reputation of these States are intimately concerned. With respect to Dr. Berkenhout's conversation with the person who accompanied him to New-York, and the letter said to be written by Mr. A. Lee to a friend in England on the day the treaty of Paris was signed, and some other points contained in Mr. Deane's publication, they are circumstances which may require a longer time for a proper investigation, though the first point, I should imagine, might soon be ascertained, as the person giving the information is said to be of this city; but these circumstances, if true, however alarming they are (especially at a time when war has not been formally declared either by France or England, and when there is too much reason to think that private agents are residing under the eye of the Congress and of the Ambassador of his Most Christian Majesty) do not affect me so much as the circumstances of so many, so important, and such various and incompatible offices being vested in one family, however great their abilities or pretensions to the public favor may be. . . . Gracious Heavens! is it possible that in the infancy of our rising Republic, two brothers of one family should represent the interests and sovereignty of these United States at four of the principal Courts in Europe; and that two others of the same family should exercise the highest acts of sovereignty in our great Council, and thereby possess the power of securing and protecting their connections, however unfit their characters might be for the offices they fill, or however injuriously they may have acted in the public service. I do not say this is the case at present; I pretend not to enter into the merits of Messieurs Lees' characters, or to peep behind the curtain; but surely it behoves us to guard against such dangerous precedents. Independent of this grand consideration, there are two others which ought to have great weight. The first is, that other nations, whose eyes are now fixed upon us, will be led to imagine, either that there is a great dearth of abilities or virtue in other individuals, when we violate one of the first maxims of a free state, by vesting such vast powers in one family; or that our Councils are tainted by the spirit of faction and intrigue. The second is, that it naturally tends to point out to our enemies those persons to obtain whose influence and confidence they ought in policy to spare neither act or any other means whatsoever, in hopes either of seducing us from an union of force with our great and generous ally, or by affecting to treat clandestinely about the acknowledgment of our independence, of rousing the suspicions of the Court of Versailles, and thereby inducing her, from irresistible motives of policy, to conclude a negociation with Great-Britain by which all our struggles may be frustrated, and our liberties sacrificed. Of this wicked policy these persons may become the unwary instruments, which I fear is the case at present, and shudder at the Consequences. With respect to Mr. William Lee's holding, in conjunction with his office as Commissioner to the two Courts, the office of a Commercial Agent, and that of Alderman of the City of London, there is something so unaccountably ridiculous in it that my respect for the Honourable Congress constrains me to think (not withstanding the weight of Mr. Deane's character) either that he must be mistaken, or that Congress were unacquainted with the last circumstance, and had been led into the other by inattention, which the wisest bodies are sometimes liable to.

"Mr. F. Lee seems to entertain a doubt of the decency of Mr. Deane's address with respect to the Honorable Congress, and the propriety of the publication at this time.

"With respect to the decency of the address, it appears to me couched in such terms as can give no just cause of offence to any body of men, however dignified. Policy naturally induced every well-wisher to our cause, at the commencement of the contest, to impose a self-restraint both in speaking and writing, so long as the power exercised by Congress was (if I may use the expression) held by courtesy; and it was necessary, for the preservation of our liberties, to give that Honorable

Body deep root in the confidence of the people. But (thanks to that Providence which has blest our virtuous exertions), the reasons for so rigorous a restraint no longer exist. The danger now is, not that we should injure the common cause by examining the conduct of those who are in power with a decent freedom, but that under the false idea of decency we should become the suicides of our own liberties, by forbearing too long to exercise that right of speaking and writing with a decent boldness of public men and measures, which is unalienable in a citizen of a free state. . . . If what Mr. Deane says is true (and I must suppose so till proved to the contrary), that he has been urging the Honorable Congress for months past, without any effect, to hear him, this, in my opinion, would be a sufficient justification; but when the nature and importance of the information is considered, the danger we have run by harbouring one under-negotiator, and the disgrace we have suffered by allowing him to escape (not to say any thing of the apprehensions of every honest whig with respect to another mysterious character now in this city, which possibly might have had some influence on Mr. Deane's mind), I think no reflecting patriot can doubt of the propriety and seasonableness of the publication." *Deane Papers* (NYHS Colls.), 21 (1888): 81-86.

James Duane to Philip Schuyler

My dear General

Philad. 3d Jany 1779.

Since I came to this City I have written to you twice.¹ The last enclosed an Account of your being acquitted with the Highest Honour by a general Court martial and the Confirmation of that Sentence by Congress. I cannot account for your Omitting to answer me on a Subject which must give you the most heartfelt satisfaction. I Judge from my own feelings for I assure you such was the Impression this Event made upon me tho' more remotely interested.

I had not long been here before Mr Lawrence resign'd the Chair. It was offerd to New York. We proposd you & it met with Approbation, Mr Jay in the mean time agreeing to be your *locum tenens*. I had no objection to this parade in your favour; but was firmly resolved that you should not if I could help it quit your high Station in the Army where you may be long and so eminently serviceable to the united States & to your own in particular, for the Sake of presiding in Congress for a single Year.² It would be a bad Exchange both in a publick Way and a private View: with respect to your own State which wants your utmost Attention it would be in the highest Degree pernicious. You are popular in the Southern Army at least: you are greatly respected by the Commander in Chief: your advice will have great Weight in Congress. In short Every Measure you recommend for the protection & Safety of your Native State will have it's full weight while you are in the Army. In the chair of Congress your Lips will be sealed; and your Knowledge and abilities in a great Measure lost to your Country. I am therefore clear in my Opinion, which I flatter myself will not be slighted. If it is rejected

I look for good Reasons. Give my Compliments to Mrs Schuyler, wish her a great many happy years, And tell her that knowing her prejudices on this Subject & how much she wishes you to retire, I must insist on excluding her from our Councils, untill I can be personally heard. I know from Experience I can convince her Judgement.

General Arnold is mending. He is engagd to a Miss Peggy Shipping one of the finest & most agreeable Ladies in this City. His Leg resembles Uncle Toby's Groin. I heard two Ladies of our Acquaintance in deep debate about this same wounded Leg. They were as much perplexed as the Widow Wadman.³ In the mean time it is the only obstacle to the Lover's Happiness. Duer is still here. He has taken up the Pen for Deane against the Employers of Payne (Common Sense). You know them all. Lady Kitty in the mean time must have Patience. He confesses his marriage with her is soon to be celebrated. The Devil take Payne say I. Congress you will see by the publications give free Scope to the Press. I hope they will no longer be chargd with Congressional Pride.

General Washington has been here ten days by order of Congress. He seems impatient to return to the Army: but the Business for which he was sent to be advised with, will detain him a few days longer. My friend Taylor writes me that you are at Saraghtoga & expresses Pain for your safety. Rashness is a folly you ought not to be chargd with, especially when it may extend to a numerous Family. Put your Family in Security & go to Business. The times are pressing & require Vigilance & Wisdom—you can't be spared. Farewell. Accept the compl[ents] of the Season to you & yours; & Believe me Sans Ceremony
your affect & Obedt sert. Jas Duane

RC (NN: Schuyler Papers).

¹ Neither letter has been found.

² For Schuyler's determination to resign his continental commission, see John Jay to Schuyler, January 15, 1779, note 1.

³ The perplexity of the Widow Wadman with Uncle Toby's groin injury is recounted at length in vols. 7–9 of Laurence Sterne's *Tristram Shandy*.

William Floyd to George Clinton

Sr.

Philadelphia January 3d. 1779.

On Account of the many Difficulties and Disappointments which I met with in Crossing the North River, I did not arrive here untill the 1st Instant. The next day I attended Congress,¹ and after the usual Business of the Morning, which is the Reading of Publick Letters and Receiving Reports from the Several Committees, At one

O'clock (according to a Rule of house which had been for Some time Standing that all matters be before them Should be laid by and Congress proceed upon the Business of Finance) Finance was taken up, and I soon found there was Sundry Resolutions which had been long under Consideration and at length agreed to, for the purpose of Raising the Credit of our Currency. Some Gentlemen appear Very Sanguine that they will have their Desired Good Effects, I wish they may; But must Confess I have Great Doubts.

The Resolves with a preanble are Gone to the printers. If I can get them before this opportunity Leaves Town I will Send them to you. But you will undoubtedly Receive them Officially from our President very Soon.

There were two other Questions of Importance to the Several States, Adjutated; But was, in my opinion happily thrown out. The One was to prohibit all Lotteries in the Several States, and the other was to Cry Down all Bills of Credit, Except Continental.²

I considered the two Questions as infringing on the Rights of the Legislatures of the Several States and was Glad to have them Negatived.

The last Letters from France hold out to us, that England is on the Brink of Acknowledging our Independance, and that from Absolute necessity, as their affairs are as much Embarrassed as the public affairs of any Nation Ever was.³

There is No Important news here Except that Yesterday we heard that 22 Sail of the Enemys Vessels was Driven on Shore on Staten Island—which I suppose you'll hear Before this Reaches you, from Sr. your most obditi. humble Servt. Wm. Floyd

RC (NJR: Elsie O. and Philip D. Sang deposit, 1972).

¹ JCC, 13:15.

² These issues had been proposed in committee reports of September 19 and October 28, 1778. See JCC, 12:930, 1074; and Roger Sherman to Jonathan Trumbull, October 27, 1778, note 2.

³ Floyd was undoubtedly referring to Arthur Lee's August 21, 1778, letter to the Committee for Foreign Affairs that was read in Congress on January 3. The letter does not survive in PCC, but the copy printed in Richard H. Lee, *Life of Arthur Lee, LL.D.* 2 vols. (Boston: Wells and Lilly, 1829), 2:72-74, contains this relevant paragraph, which was omitted in Wharton, *Diplomatic Correspondence*, 2:691-92.

"We are pretty well informed that the British cabinet has resolved to acknowledge your independency. It does not seem to me that they can possibly avoid doing so in a year's time, on any conditions that may be prescribed to them. Such certainly is their exhausted state in every respect, that an attempt to carry on a war against the United States and France combined, and supported as the latter are sure of being, by Spain, is such an act of folly as cannot but end speedily in their utter confusion."

John Jay to Benjamin Franklin

Dear Sir,

Philadelphia 3rd Jany. 1779.

I have the Honor of transmitting to you the enclosed Copy of an Act of Congress of the 23rd Ult^o.¹

Being ignorant of the Gentlemen mentioned in it, and all Information respecting them having been received by Congress prior to my Arrival, I applied to the Secretary for the necessary Intelligence. He this moment sent me a note on the Subject in the following words—vizt.

“Mr. Erklins is a Gentleman from Holland who resides in Connecticut. He has kept up for some time a correspondence in Holland, for the purpose of reconciling the People in power to the views of America, & to prepare them for entering into commercial engagements with America, and assisting her with a loan. This correspondence he has shewn to Governor Trumbull, who has approved the same, & written several times to Congress in his favor. As he has not had any advice lately, he has engaged Coll. Diricks, who is, it is said connected with some of the first Families in Holland, to go home in order to promote his views.”

You will also find enclosed a Copy of an Act of Congress of the 1st Inst. on the Subject of an Expedition against Canada, a Plan for which had been before concerted but is now deferred.²

Be pleased, Sir, to accept the Compliments of the Season; and my best wishes for your Health and Happiness.

I have the Honor to be Sir, with great Respect & Esteem, your most Obedient & most Humble Servant.

John Jay, President of Congress.

RC (PPAmP: Franklin Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

¹ JCC, 12:1246–47. Gosuinus Erkelens and Jacob Diriks had asked Congress to notify Franklin of their mission to promote the negotiation of a Dutch loan in case they should have occasion to write to him from Holland. Their letters to Congress are in PCC, item 78, 7:227, 8:307–10. For information on the background of their mission, see Andrew Adams to Jonathan Trumbull, August 11, note 2; and Henry Laurens to Gosuinus Erkelens, November 6, 1778.

In connection with this letter to Franklin, Jay also wrote the following note to Gov. Jonathan Trumbull on January 15, 1779. “Coll. Diricks (with whom I understand you are well acquainted) in a Letter of the 29th Novr. last requested Congress to mention his Name to Doctor Franklin; with this request Congress complied, & I have accordingly written to the Doctor on the Subject.

“As I know not where to direct to the Colonel I take the Liberty of mentioning these circumstances to You and beg the Favor of You to communicate them to him.” PCC, item 14, fol. 17.

² See Jay's letter to the marquis de Lafayette, this date.

John Jay to Horatio Gates

Sir

Philadelphia 3d Jany 1779

I have the Pleasure of acknowledging the Receipt of three Letters from you to the late President, vizt: of the 30th Novembr. 3d Decr. & 5th Decr. last.¹ Congress have ordered General Phillips Letter to lay on the Table, & directed me to [report to you their?] approbation of your Conduct² relative [to this affair. I have] the honor to be Sir, Your most obed. & hble Servt,

John Jay, President

RC (NHi: Gates Papers).

¹ JCC, 12:1264-65, 13:10. Gates' December 3 letter to Congress, enclosing Gen. William Phillips' December 1 letter to him proposing negotiations for the exchange of Convention Army troops, is in PCC, item 154, 2:33-40. An extract of his November 30 letter, seeking the restoration of Lt. Col. Udny Hay's commission, is in PCC, item 151, fol. 82-83.

² JCC, 12:1265. In a brief January 15 letter to Gates, Jay repeated the substance of this communication regarding General Phillips, "Lest my [previous] Letter should have miscarried." PCC, item 14, fol. 19-20.

John Jay to Conrad Alexandre Gérard

3d Jany. 1779

The President of Congress presents his Compliments to the Minister of France, and has the Honor of transmitting to him the enclosed Copies of two Acts of Congress of the 1st Inst.—The One respecting the proposed Expedition against Canada, and the other on the Subject of retaining Brigadier Genl. Du Portail & others in the Service of the United States, both of which, he hopes, will meet with his Approbation.¹

The President further begs leave to inform the Minister that the Express for Boston will not set out till to morrow morning.

LB (DNA: PCC, item 14).

¹ For Congress' resolve "respecting the proposed Expedition against Canada," see the following entry. For "the other on the Subject of retaining Brigadier Genl. Du Portail," see Jay to Gérard, January 20, 1779, note.

John Jay to the Marquis de Lafayette

Sir,

Philadelphia 3rd Jany. 1779.

The Congress have directed me to observe to you, that the Plan for emancipating Canada was conceived at a Time when, from various movements of the Enemy there was the highest Reason to expect a

speedy & total Evacuation of all the Posts they held in these States. Those Indications however proved fallacious & the Probability of their quitting this Country in the Course of the Winter is become very slender, nor is it by any Means certain that they will do it in the Spring. Prudence therefore dictates that the arms of America should be employed in expelling the Enemy from her own shores, before the Liberation of a Neighbouring Province is undertaken. As the proportion of force necessary for our Defence must be determined by the future Operations & Designs of the Enemy which cannot now be known, and as in Case of another Campaign it may happen to be very inconvenient if not impossible for us to furnish our proposed Quota of Troops for the Emancipation of Canada, Congress think they ought not under such circumstances to draw their good Ally into a Measure the Issue of which depending on a variety of Contingencies would be very uncertain, & might be very ruinous.¹

I have the Honor to be, your most Obedt. & Hble. Servt. J.J.

FC (NNC: Jay Papers). In the hand of John Jay. Endorsed by Henry Brockholst Livingston: "Philada. Jany. 3, 1779. To The M. de Lafayette. Entd. V.1. P.8" LB (DNA: PCC, item 14). In the hand of Henry Brockholst Livingston.

¹ This letter was sent to Lafayette in consequence of Congress' adoption of a Committee of Conference report on January 1 canceling the attack on Quebec initially recommended on October 22, 1778. Because of Washington's opposition to an expedition against Canada, no significant preparations for implementing the original proposal had been made, and Congress on December 5 had adopted a report that was essentially a prelude to abandoning the plan. Final action was deferred until Congress could discuss the matter at greater length with Washington, however, and it was accordingly placed on the agenda of the Committee of Conference when Washington came to Philadelphia. See Committee for Foreign Affairs to Washington, October 27, note; and Henry Laurens to Washington, December 6, 1778, note 1.

The committee's report, which endorsed Washington's position, also included the text of a letter to be sent to Lafayette, but that document varies significantly from the text drafted by Jay. No information has been found to indicate why Jay considered himself at liberty to ignore the text adopted by Congress, but there can be no doubt that he actually composed the heavily revised and interlined document printed here, which is in the Jay Papers at NNC and is the text that his secretary entered in the presidential letterbook in PCC. The confusion surrounding this matter is compounded by the fact that neither the December 5 nor January 1 decisions were entered in Charles Thomson's regular journals of Congress; the versions that appear in the printed *Journals* were taken from Thomson's rough secret journals. Similarly, the fact that the text printed in the *Journals* concludes "I am, &c. H.L. President" but appears in an entry dated three weeks after Laurens resigned as president of Congress, suggests that such a letter may have been contemplated by the committee that reported on December 5 and was subsequently referred to the committee of conference.

For references germane to this puzzling issue, see JCC, 12:1190-92, 13:11-14; PCC, item 1, 19:164, 20:76; item 6A, fols. 67-73; item 19, 6:265-67; and item 33, fols. 265-68.

William Whipple to Josiah Bartlett

My Dear Sir,

Philadelphia 3d of Jany 1779

Yesterday put a finishing stroke to the plan of finance, that was under consideration before my arrival & I suppose long before Your departure, I Heartily wish it may have the desired effect. By accots. receivd from every quarter our paper currency is in a most miserable scituation but I hope the remedies now applied will be something more than palliatives, indeed I have not the least doubt of it if the States will exert their powers to put in execution the recommendations, I flatter myself that New-H—— will not be deficient in that respect. Taxation is the only means to effect a cure & every state will find great advantage in taxing as high as possible while money is plenty. Connecticut (who never loses sight of her own interest) raised £800,000 last Year by Tax, which was collected in five or six different payments, this I think was a wise measure, & I wish it may be adopted by the state whose Interest I have most at heart, there are but few men but will pay £25 per Qur. with more cheerfulness than £100 per year in one payment. The two Emission which are to be paid in by the first of June amount to 41,500,000, but this is to be redeemed partly by Loan Certificates or new money which the artificers are now preparing the Machines for, it is said this new money can not be counterfieted. I suppose it is meant not so easily counterfieted as that now in circulation, no doubt the Gentn. of the Treasury have exerted their inventive faculties to guard against the ingenuity of villains, but it must be left to time to determine their success.

Having got pretty well over finance (at least for the present) the next standing Job, (I suppose) will be Foreign Affairs. This business I expect will produce much altercation and that not without a due proportion of warmth. Our Friend who left Congress the day you did is still absent, but some late publications in the news papers will bring him back sooner than he intended.¹ He is expected very soon, all his eloquence will be used in support of his Friend & the Friends of Mr D——² will equally exert themselves. For my part I shod be very willing to consign Mr. D—— over to Common Sence, & never hear his name mentioned again.

Congress is fuller than I ever knew it at this time of Year, all the States are represented, I wish I could say they were Confederated, but our Froward Sister M—— & her little Crooked Neighbour still stand out.³

No late accots, from Europe. The last advices from New York, say, they are in great want of Bread, & that 20 sail of outward Bound

transports, were lately drove on shore by the Ice, most of which (its said) will be lost.

There has been no post in from the Eastward for three weeks (the last letters I received from N. Hampshire were dated in Novr.) this I imagine is owing in some measure to the badness of the Roads. I have never seen so much snow in Philadelphia as within ten days past, the River is compleatly shut up. The prices of every thing here, has doubled, since you left this City.

The inclosed letter was delivered to me some days ago in the shattered condition that I inclose it, and which I trust you will find it.⁴ It does not appear to me to have been opened but thouroughly worn in somebodies pocket.

In hopes of hearing from you soon, I am, Most Sincerely Your very
Affectionate Friend &c,

Wm. Whipple

RC (NhD: Bartlett Papers).

¹ That is, Richard Henry Lee, who returned to Congress on February 20, 1779. *JCC*, 13:214.

² Silas Deane.

³ That is, Maryland and Delaware.

⁴ The enclosed letter has not been identified.

Connecticut Delegates to Jonathan Trumbull, Sr.

Sir.

Philadelphia January 4th, 1779.

We had the honor of your favor of the 8th Decemr. by Brown,¹ who arriv'd here about the 20th. Congress was then deeply engaged in the matter of finance, and in taking measures, at least, to give some check to the rapid course of depreciation of their paper currency, to relieve its sinking credit, and possibly gradually to appreciate its value. A portion of every day was set apart for that purpose, and was not closed 'till Saturday night last. We thought it prudent to detain Brown, 'till we could transmit to you the proceedings of Congress on that subject, lest his return, without any intelligence might fix the impression on the minds of the people that Congress was only amusing them with bare pretences, while in fact they meant to have the bills die in the possessors hands. We are happy that it is now in our power to transmit to Your Excellency such resolutions of Congress as we hope will wholly remove those impressions; and as, by the cooperation of the people, and the blessings of God, will give permanent credit to our bills, and furnish us still with the means of our defence. The measures at present adopted relative thereto, are herewith transmitted, which renders it needless to point out the same in this letter—possibly some other measures may be taken to restore commutative justice among the people.

Your letter, and the Petition of the Officers in the Connecticut Line to our Assembly have been laid before Congress, and referred to a Committee who have not yet made their report,² possibly the Assembly will not think it proper to proceed any further on that subject, than to make some reasonable provision for the support of their families, in the manner already proposed, until they hear further from Congress on that head, which we hope will be in a few days. Indeed the Officers and Soldiers in the Army seem to be, in many respects, on the same footing with our Salarymen, orphans, widows, &c. and hope some measures may soon be taken, which will operate to the administering justice to the whole, as near as these calamitous times will possibly admit of.

A Foreign Loan is in contemplation, but how soon it may be effected is at present uncertain. By the best information we can obtain, the several, or most of the States, in the Union, have taken measures to fund their own bills, and have paid, and are now paying, in, the several taxes apportioned to them the last year, and all seem inclined to tax as high as possible.

You enquire, Sir, why the Articles of Confederation are not concluded. We have only to answer that the States of Maryland and Delaware have not yet acceded, and we are waiting with impatience for their union, and as the Articles drawn comprehend the Thirteen States jointly, it is at least a doubt whether the assent already gained from eleven States is not founded on the joint consent of the whole thirteen, and unless the remaining two join, the whole is void, and will make it necessary to send back to each State for their approbation, if no more than eleven States unite in the Confederation, which would take up much time, beside the inconvenience, which might attend, therefore are still waiting, in hopes of the compliance of the other two.

As to what is done in consequence of the Circular Letters sent out by the Committee to superintend the Commissary's and Quarter Master's Department, are not able to acquaint you, as the Committee have not made report, therefore must refer to Mr. Sherman, who is one of that Committee,³ for information on that head.

The unhappy situation of our western frontiers, as well as those of New-York, are truly melancholy, and demand the greatest attention, both as respects the present inhabitants, former settlers, and the supplies derived from them. The Board of War have reported an addition to Colo. Hartley's Regiment, who is a worthy, spirited, and attentive Officer, and now on the frontier part at Wyoming: ⁴ we hope further additions will be made for their defence. General Washington is now in Town, on the request of Congress, and a Committee appointed to confer with him on the subject of any new, or future operations, and hope something to effect will soon be done.

Mr. Dean has been fully heard by Congress to the utmost of his wishes, but by reason of the pressure of other important business nothing is decided respecting him, or his negotiations. We know not of any fault in the delay—the late publications are rather premature and unhappy—as we conceive no good will be derived from them, or useful instruction.

January the 5th. We have been obliged to detain Brown to this day, to have the Quotas of the several States affixed for their present proportion of the fifteen millions dollars tax for this year, in which is apportioned to Connecticut 1,700,000 ⁵—large indeed in sound, but hope may not prove disagreeable, when it is considered, with how much more ease so large a sum may be now paid, than a much less in future, and that what they over-pay now, will be allowed to their account, and diminish our proportion of those which will succeed, beside an interest on the overplus, in the same manner as that recommended the last year. We have transmitted to Your Excellency the copies of the Resolutions of Congress on these matters, with the Quotas affixed to each State; and though thro' the diversity of the circumstances and interest of Individuals, a variety of opinions may be formed, yet we hope they will be received with candor, prove in general satisfactory, and that every one will endeavor to promote the great and good ends therein designed.

We are, with the greatest Esteem & Respect, Your Excellency's most obedt. hble Servants,

Elipht. Dyer,

Oliver Ellsworth,

Jesse Root.

Tr (DLC: Force Collection).

¹ Governor Trumbull's December 8 letter to the Connecticut delegates is in *Trumbull Papers* (MHS Colls.), 2:318–20.

² The Connecticut officers' petition for higher allowances was laid before Congress on January 1, and again on February 16, and referred to the Committee of Conference, which was already considering the provisioning of officers. See *JCC*, 13:10, 190; and William Whipple to Meshech Weare, March 7 and 23, 1779.

³ Trumbull had written to "that committee" on December 10, reporting that he knew of no instance when public money was used to engross provisions. Roger Sherman was in Connecticut on leave from Congress at this time. *Trumbull Papers* (MHS Colls.), 2:230–21; *JCC*, 12:1222.

⁴ Thomas Hartley's regiment, one of the sixteen "additional" Continental regiments authorized in January 1777, had been combined with four independent companies from Pennsylvania and the remnant of Col. John Patton's "additional" regiment on December 16, 1778. The new unit was redesignated the Eleventh Pennsylvania Regiment. See *JCC*, 12:1225, 13:58.

⁵ See *JCC*, 13:25; and John Fell's Diary, January 5, 1779.

John Fell's Diary

[January 4, 1779]

4th Monday. Commercial Committee 9 oClock. Congress. Letter from Genl Sulevan relating to a Court martial, Referrd to a Committee of 3 vizt. Drayton, Atley and Ellery.¹ Letter from Mr Deane relating to Mr Paynes adress,² (Dined with Gouverneur Morris). 6 P M Commercial Committee.

MS (DLC).

¹ JCC, 13:24. Gen. John Sullivan's December 20, 1778, letter discussing the court-martial of William Crossing is in PCC, item 160, fols. 219-29, and Sullivan, *Papers* (Hammond), 2:463-64.

² See Francis Lightfoot Lee to Richard Henry Lee, January 5, 1779, note 2.

William Whipple to John Langdon

Dear Sir,

Philadelphia 4th Jany 1779

Since my last I have not been favored with any of your's—the Baron Stubens tells me he wrote to you some time ago about a Soldier that he took out of one of the New Hampshire regiments. He wishes the fellow may be released to him and he will be at the expence of recruiting another in his stead—he wishes to retain the fellow in his service but is lothe to take a soldier from the line, a custom which prevails much in our Army, which he reprobates and wishes to reform. The Baron is in very high estimation in the army, has done very essential Services and is very particularly attended to by the Commander in Chief.

A plan of finance which has been a long time under Consideration has at last got into the hands of the printer. I hope it will have the desired effect, but in order thereto it must have the most speedy assistance of the several Legislatures.

By the last advices from York we learn they are in great want of bread and that 20 sail of outward bound Transports have been lately forced ashore by the ice most of which it is said will be lost. A frigate which was to be their convoy narrowly escaped the same fate. I enclose a few barren newspapers for your amusement, & am very sincerely your most affectionate friend &c, &c. Wm. Whipple

Tr (DLC: Force Collection).

William Whipple to Joseph Whipple

My Dear Bror.

Philadelphia 4th Jany. 1779

By the means of bad Roads, bad weather, or some other cause, there is now three Mails due from the Eastward, the last letters I received from N. Hampshire were dated in Novr. It is said the weather is colder here than has been for many Years past, I therefore conclude you have had a severe winter hitherto. Perhaps it may be owing to the severity of the season that we have no intelligence from Europe. By the last authentic intelligence from New-York they were intirely out of flour, & have but very little Rice, they have advice of the sailing of a fleet from Cork in Octor., which they are apprehensive are intercepted as none of them are yet arrived, we are also informed that 20 sail of outward bound Transports were lately drove ashore by the Ice most of which it's said will be lost.

As you may have a curiosity to know how much paper money is in Circulation I inclose you a particular accot of all that has been Emittted by Congress. Perhaps it may not be proper to make it very public. I shall rely on your discretion to make such use of it as prudence may dictate. If it should be propagated that a larger sum has been Emittted you will have it in your power to contradict such a report. You will also find inclosed an accot. of the perticular Emissions & Denominations that have been discovered here to have been Counterfeited, these I think have been advertised & perticularly discribd.

A plan of finance which has been a long time under consideration, is at last compleated, and I hope it will have the desired effect, it certainly will have an immediate favorable operation if the States will exercise their powers to further the views of Congress, I shall transmit you a copy of this plan by next post.

I hope you will secure a tenant for the farm at Kittery as soon as possible, if it should be let alone till the spring you will be put to great difficulty, even if you should be able to get one at any rate. Let me hear how you go on with your business at Dartmouth & if you want any information that I can collect this way respecting Mills &c &c. I wish to have a copy of the Acts passed the last Session, which you mentioned in Your last. Remember me with affection to Your Mrs. W——.

Adieu, Yours very affectionately,

WW

John Fell's Diary

[January 5, 1779]

5th Tuesday. Do [Commercial Committee] 9 oClock. P M Dined wth Genl Washington. Congress, Lieut. Coll Fluerys Letter Read & debated. Letter from Genl Schuyler with his Resignation to confer with Genl Washington on the subject carried in the negative.¹ Proportion of the Taxes of Each State

New Hampshire	500,000
Masachusets	2,000,000
Rhode Island	300,000
Connecticut	1,700,000
New York	800,000
New Jersey	800,000
Pennsylvania	1,900,000
Delaware	150,000
Maryland	1,560,000
Virginia	2,400,000
No Carolina	1,090,000
So Carolina	1,800,000
Georgia
Dollars	<u>15,000,000</u>

NB Georgia being invaded Pays no part of this Tax

MS (DLC).

¹ For Philip Schuyler's resignation, see John Jay to Schuyler, January 15, 1779, note 1.

William Floyd to George Clinton

Sir,

Philadelphia, Jan. 5th. 1779.

I do myself the pleasure to enclose this day's paper to you, containing the ultimatum of Congress on the affair of Finance, and a publication from Common Sense with what other little news we have here.

The publications of Mr. Dean, and Mr. Paine, makes a great talk in this place, and I am afraid will throw Congress and the people at large into violent parties.

I am told that the late President declined his seat as president because Congress would not take up Mr. Dean's publication in a way which he thought proper. In balloting for a new President, they came in favor of Mr. Jay, who is now our President.

There is nothing yet done with respect to the Vermont business,

not owing to any neglect of our members; but that it was not possible to bring on that, or any other matter of importance, while the grand business of Finance was under consideration. Now that is over, I expect we Shall Soon take it up, and I obtain Something decisive from Congress on the Subject.

In conversation yesterday, I mentioned the affair to Mr. Drayton who fully agreed with me that the consequences of their holding their independence would be a means of producing fifty new States, therefore must by no means be allowed.

From, Sr., your most obedt. Servt.

Wm. Floyd

Tr (MH-H: Sparks Manuscripts).

Samuel Holten's Diary

[January 5, 1779]

Tuesday. Genl. Washington invited congress to dine with him at the city tavern & we dined with him accordingly. I wrote to Capt. Batchelder & Mrs. Holten, (No. 36.).¹ A snow storm.

MS (MDaAr).

¹ Neither letter has been found.

Henry Laurens to John Sullivan

Dear Sir,

Philadelphia 5th Jany 1779

Although I have but a few minutes allowed me for writing by this Messenger Brown I cannot suffer him to pass without acknowledging & thanking you for your favor of the 15th Ult.¹ Yesterday I received your public address under the Ult. inclosing the proceedings of a Court Martial in the cases of Crossing & his coadjutors.² These I deliver'd to the present President & they were read in Congress. I had the honor of resigning the Chair on the 9th December for reasons which then appeared to me to be good & which subsequent circumstances have proved to be so. Love of order & an high respect for a great Representative, restrains my pen from an explanation at present.

I am reduced to a private station but do not mean to turn my back on Congress immediately. Therefore Sir, I shall endeavour to merit a continuance of your correspondence by contributing the best offerings on my part.

Inclosed with this you will receive this days Packet with a con-

tinuation of Common sense, & a plan calculatd by Congress for lessening the quantity of Paper Circulation & appreciating the Value of the remainder. Time will prove its efficacy. Economy, Taxation & Open Ports would be infallible. I have the honor to be, with the highest Esteem & Regard, Sir, Your obedient & Most humble Servt.

Henry Laurens

RC (DLC: Force Collection).

¹ General Sullivan's December 15 letter to Laurens, in which he reported the departure from Rhode Island of Admiral Byron and a British fleet, is in Sullivan, *Papers* (Hammond), 2:462.

² See John Fell's Diary, January 4, 1779, note 1.

Francis Lightfoot Lee to Richard Henry Lee

Dear Brot.

Phila. Jan. 5. 1779

The uncertainty of the Post last week prevented me from writing, & now from the uncertainty of this Letters reaching you before you leave home, I am at a loss what to say.

Common Sense has attacked Mr Deane something in his own way, but I think has not made the best use of the materials in his hands.¹ However it appears he has stung the Gentn., for he has had the impudence to complain to Congress, of his being abused by Payne in his official character;² in consequence of which we have had some warm debates, not much to Mr. Deane's advantage. The impudence & villainy of this man are beyond expression; & it much increases my bad opinion of mankind, & the unfavorable prospect of our affairs, to find him so warmly supported. It appears to me at present that he will be continued in the public service, with an approbation of what he had done, but you will probably have time to be present at the shameful decision. Your peice is in the hands of Mr. Adams for his opinion;³ tho I am inclined to delay it till you come, as the public is likely to be entertained in the mean time. Finance is finished. 15 millions dollars raised by tax, this year, 6 millions yearly for 16 years as a sinking fund. The two last large emissions, amounting to 40 odd Millions, which are supposed most counterfeited, are called in by the 1st June, & more money given in Exchange. I fear the plan will not sufficiently check the rapid depreciation which has lately taken place. The money has allmost ceased to be current in the Eastern States. Altho we have regularly the report of the day, yet there is very little of consequence to be depended on, tho I beleive it is certain the Enemys Shipping at N. York has suffered much by the late bad weather. It is said today, that there is a fleet of Merchantmen in the mouth of this River convoyed by a French line of battle Ship, & a Dutch M[an of] War.

I have Letters for you from Doctr. Lee late in Septr.⁴ They are Cypher, & will wait for you here, nothing new in Europe when these dispatches came away. If you have an opportunity to Mt. Airy before you leave home, shall be obliged if you will get from Mrs. Garrett, a sealed Packet I left in her care, and bring it up with you. It contains my loan office Certificates, Lottery Tickets, & some money.

Love to Chantilly & Stratford, Yours Affectly,

Francis Lightfoot Lee

[P.S.] The report of the fleet in the River, not true.

RC (MeHi: Fogg Collection).

¹ Thomas Paine's second substantial attack on Silas Deane was a long letter to the public that was serialized in the December 31, 1778, and January 2, 5, 7, and 9, 1779, issues of the *Pennsylvania Packet*. See *Deane Papers* (NYHS Colls.), 21 (1888): 209–39.

² Deane had registered this complaint in letters to Congress of December 30 and January 4. Deane protested that Paine, “styling himself Secretary for Foreign Affairs, and pretending to address the public in his official capacity, . . . ventured to assure the public that the supplies which I contracted for with Mons. Beaumarchais were promised and engaged, and that as a present, before I arrived in France.” See *ibid.*, pp. 137, 224, 244–45; PCC, item 103, fols. 165–67; and *JCC*, 13:25–26. Before Congress resumed consideration of Deane's complaint, a more serious protest against Paine was lodged this day by the French minister, Conrad Alexandre Gérard, which dominated the congressional debate on foreign policy the next several days. See John Fell's Diary, January 6, 1779, note 2.

³ The Lees often shared their correspondence on public issues with Samuel Adams, but no convincing evidence has been found to determine the identity of the “piece” recently given to Adams “for his opinion.” Burnett's suggestion that it may have been the document signed “Economist” and printed under the date January 22, 1779, in Lee, *Letters* (Ballagh), 2:11–26, is a reasonable one. But his alternate conjecture, that this “piece” is an undated MSS located at the end of the 1779 volume of Samuel Adams Papers at NN, refers to a document that was actually drafted by Francis Lightfoot and probably after Richard Henry returned to Philadelphia. See Burnett, *Letters*, 4:10n; and Francis Lightfoot Lee to Arthur Lee, April 22, 1779, note 4.

⁴ An extract of a letter from Arthur Lee dated September 30, 1778, in the hand of Richard Henry Lee, is in the Lee Family Papers, ViU. His September 12 letter to Richard Henry is in Richard H. Lee, *Life of Arthur Lee*, 2 vols. (Boston: Wells and Lilly, 1829), 2:148.

Samuel Adams to Samuel Cooper

My dear Sir

Jan'y 6 –79

I wrote to you on the 3d Inst by Express and then promis'd to write again by the first good Opportunity. The Bearer of this Letter is a young Gentleman of your Country passing thro this place in his Way home. He appears sensible, tells me he was educated at H. College, has since studied Physick, was taken at Sea & carried into

England, was liberated or made his Escape & went over to France, from Paris he went to Dunkirk on the Encouragement of Mr. Dean & entered Surgeon on board the Revenge Sloop, built by Order of a Come. of Congress authorizd thereto & at the Continental Expense, and till lately supposd to have ever since remaind Continental Property, but now so envelopd in political Commercial Mystery as that it cannot be ascertaind whether she is ownd by the United States or private Persons, or whether she is the property partly of publick & private. I will tell you more of this Matter when the Mystery shall be unraveld if it ever is; in the mean time remember my dear Sir what I said in my last of commercial Combinations.

In the latter End of 75 one of the Characters¹ in my last was left out of the Delegation of the Colony he had represented, and a Number of his Friends gave him a sort of Certificate or Letter of Recommendation, as they had before done to one of your Delegates,² which led me to think it was their Opinion he needed a Prop in his own Country. Soon after, the Congress appointed a secret Committee of Commerce, with a View of procuring from abroad the necessary Articles for carrying on the War. They also appointed a secret Committee of Correspondence. Their Business was to form political Connections abroad, & to feel the pulsations of foreign Powers and particularly France. The first of these Committees engaged Mr _____³ to go to that Kingdom for the purpose of their Commission & the Corresponding Come. took the Advantage of his intended Residence there to facilitate the salutary Purpose of their Appointment. At the same Time they wrote a Letter to Mr _____⁴ then in England from whom the Congress had before receivd the most accurate Intelligence, requesting a Correspondence with him & pledging Secrecy & Confidence. Mr _____⁵ arrivd in France in June 76. Thus you see we had an Intelligencer to let us know what was doing or meditating against us in England; and a political Commercial Agent who was to inform us what was doing or could be done for us in France. The one had before settled a Correspondence & formd Connections in several parts of the Continent of Europe & particularly France; the other was a perfect Stranger in every Nation in Europe, but bearing Letters to considerable Men there. The one was altogether the political Man, the other had to do with Commerce as well as politicks. The one by his Address obtaind in England such Assurances as satisfied him that France would afford such Aid to America as she could consistently, the other was better skilld in the commercial Part of his Agency than the political. The one in London in the Months of March and April discoverd that he might successfully & actually did treat with a Merchant in France of no Capital but a favorite at Court for a Supply to the Value of £200,000 sterling—the other arrivd in the Month of June following, found him out & was somehow concernd in forwarding the

Supplis thus contracted for. I dare say you are apt to draw this Conclusion that the one was the political Negotiator in this Instance & the other the Commercial Agent only—yet, will you believe it, it is positively affirmd that the one did every thing & the other Nothing. I will explain it to you in my next.

FC (NN: Adams Papers). In the hand of Samuel Adams.

¹ That is, Silas Deane.

² For the testimonial letter given to Massachusetts delegate Thomas Cushing in January 1776, see these *Letters*, 3:106n.2.

³ Deane.

⁴ Arthur Lee.

⁵ Deane.

Samuel Adams to James Warren

Dear Sir,

Philadelphia Jany 6 1779

In your last you ask me, "How Matters have stood since the Recall." ¹ I will answer this Question at another Time when I shall have more Leisure; and at present only say, that Mr D arrivd here, I think, in July and in August he was admitted into the House, or, to use his own Phrase, *had an Audience*, in which, with as much Vanity as I ever saw in a Man of Sense, he appeard to assume to himself almost the whole Merit of all the Services that had been renderd, at least by Americans in France; as if he would have it to be believd, that one of his Colleagues had done but little if any thing, the other worse than Nothing, himself every thing. And with equal Spleen & ill Nature, he would even go out of the Path of Decency and Propriety to draw in Invectives and diminish the Character of the two Mr Lees and Mr Izzard. In short his Publication which you have seen is a Specimen of his Narrative. I have before given you my Opinion of that Performance; and shall not trouble you further upon that, any further than just to observe, that his insinuating that Mr W L remains still an Alderman of the City of London merely because his Name is inserted in that List in the Kalendar of 78, discovers something more than Childishness and Folly. His Design seems to be at once to prejudice the Reputation of that gentleman in the Minds of his Countrymen, and to hold up the Appearance of glaring Impropriety of Conduct in Congress, in appointing an Alderman of London an American Commissioner; and that this was done through the undue Influence of family Connection, for he take[s] particular Care to tell his Readers, that the two Brothers in Europe have two Brothers in Congress, which cannot be denied. Neither can it be denied, that they are a Family, who have been as early, as uniform, as persevering and perhaps as able American Patriots as any in the United States. Mr A

L, you are fully sensible, was most indefatigable in supporting our Cause in England. By penetrating into the Designs of a most unprincipled Court, he was able to give us the most timely and important Intelligence, which he did at the Risque of his Life, while Mr ——² was in the opinion of some of his own Countrymen as well as others of a doubtful political Character. Mr. Lee continued to transmit to our Friends in France as well as to Congress, before he left England, the most accurate State of things there. Such was the Opinion entertained by Congress of his Abilities, his Integrity, and his Zeal and Attachment to his Country, which indeed had been long experienced, that he was employed as a most useful and necessary Man. The vigilant Eye of so consistent a Patriot may be formidable to a Combination of political and Commercial Men, who may be aiming to get the Trade, the Wealth, the Power and the Government of America into their own Hands. He must therefore be hunted down, and the *young* as well as the old Hounds are all ready for the Game.

Adieu.

SA

RC (MHi: Warren-Adams Papers).

¹ For James Warren's December 8 inquiry about Silas Deane, see *Warren-Adams Letters*, 2:77–78.

² That is, Silas Deane.

John Fell's Diary

Jany 6th 1779

Wednesday. Commercial Committee 9 oClock. Congress, Letter from Genl. Sulevan to Genl Washington, Letter from Lt Browrigg to his Mother in Ireland, do from the State of Maryland respecting the Confederation,¹ and approving of the alliance with France, Letter from Thos Payne, Order for Mr Dunlap respecting Printing a Paper, Order for T Payne whether he was the Author, acknowledged himself the author and dismissed, Debate ensued.²

MS (DLC).

¹ See John Henry to Thomas Johnson, January 20, 1778, note.

² This day's debates in Congress focused on the January 5 protest lodged by the minister of France, Conrad Alexandre Gérard, against Thomas Paine, secretary to the Committee for Foreign Affairs, for alleging in his public attacks on Silas Deane that the United States had received military stores as a gift from France in 1776. These "indiscreet assertions," Gérard charged, "equally bring into question the dignity and reputation of the king, my master." See *JCC*, 13:29–38; and Wharton, *Diplomatic Correspondence*, 3:11–12.

Samuel Holten's diary entry this day reads simply: "Congress spent part of the day considering the publication of Com. Sense on Mr. Deane's affairs. Good slaying in this city." Samuel Holten's Diary, MDaAr.

John Penn's Proposed Resolution

[January 6, 1779] ¹

Whereas Thomas Payne Secretary to the Committee for foreign affairs hath of late published divers notorious Falsehoods derogatory to the honor of Congress and prejudicial to the Interests of the United States and particularly by asserting "If Mr. Deane or any other Gentn. will procure an order from Congress to Inspect an account in my office, or any of Mr. Deans Friends in Congress, will take the trouble of coming themselves, I will give him or them my attendance & show them in a handwriting, which Mr Deane is well acquainted with that the supplies he so pompously plumes himself upon were promised and engaged, and that as a present before he even arrived in France and the part that fell to Mr. Deane, was only to see it done, and how he has performed this service the publick are now acquainted with." The last paragraph in the account is "upon Mr. Deane arrival in France the business went into his hands and the aids were at length embarked in the Amphitrite, Mercury and Sein." The following words also in a paper printed by Mr. Dunlap dated Jan'y 5th, "And in the second instance that those who are now her allies, prefaced that alliance by an early and generous Friendship, yet that we might not attribute too much to human or auxiliary aid, so unfortunate were those supplies, that only one ship out of the three arrived, The Mercury & Sein fell into the hands of the enemy"; hath Insinuated that his most Christian Majesty did furnish aid to this united States previous to the Treaty entered into with them. Which assertions and insinuations are false and derogatory to the Honor of the sd. King wherefore resolved that the said Thomas Payne be and he is hereby dismissed from his sd. office.

MS (DNA: PCC, item 55). In the hand of John Penn. Endorsed by Charles Thomson: "Mr Penn Motion on Mr T. Paine's, Jan'y 6, 1779. Withdrawn Jan'y 7."

¹ This day Thomas Paine was called before Congress to answer "whether he was the author of the pieces in the Pennsylvania Packet or General Advertiser of January 2 and 5, 1779, under the title 'Common Sense,'" which Conrad Alexandre Gérard had protested. When Paine replied that he was, Congress promptly debated possible responses to Gérard's protest memorial, and in the process apparently entertained at least three motions. Those offered by Nathaniel Scudder and Meriwether Smith were published by Worthington C. Ford in *JCC*, 13:30-31. The following proposed resolution, upon which no action is recorded, documents John Penn's opposition to Paine and his allies in their attempts to embarrass Silas Deane over charges that supplies procured by him in 1776 were intended as a present from France and should not be charged in the United States, a subject that dominated the delegates' proceedings on January 6, 7, and 8.

John Fell's Diary

[January 7, 1779]

7th Thursday. Commercial Committee 9 oClock. Letter read from Thos Payne, debate concerning his lasted all Day. Mr Thos Adams from Virginia¹ Dined with President Jay.²

MS (DLC).

¹ Thomas Adams, who had left Congress in August, returned to Philadelphia to take his seat this day. *JCC*, 13:31.

² Samuel Holten's diary entry for this day reads: "Congress sit 'till half after four on the affairs they were upon yesterday." Samuel Holten's Diary, MDaAr.

Henry Laurens' Memorandum on the Secret Committee's Accounts

[ante January 7, 1779]¹

The Honorable Robert Morris Esquire, late Chairman of the Secret and Commercial Committees, and thro' whose hands all the transactions of the former, and almost all of the latter had passed—did, in the Month of October 1777 inform Congress that he had obtained from his State leave of absence for six Months in order to settle and adjust his private Affairs, and he then moved the House for leave to take into his custody the Books of the Secret Committee, promising to adjust the Accounts contained in those Books in the course of a Month or two. The Books were accordingly put into Mr. Morris' hands, and transported from York to his House at Manheim. Some time in February 1778 Mr. Morris having been informed by a tale Bearer out of Congress, that his conduct had been freely descanted upon respecting those Books, threatened by Letter to return them,² unless the contrary should be particularly requested by Congress—no notice was taken of this menace. Mr. Morris continued nevertheless to hold the Books until near the middle of September 1778, when he informed Congress that he found the Books in such confusion he could make nothing of them, that he did not know he had any thing more to do with them than any body else, and that he should send them back to the committee—and he did so.

The 14th December 1778 Mr. Morris having been informed that the Books were lodged in the hands of Mr. Laurens, sent a message to Mr. Laurens desiring the Books might be returned to him, he was sure nobody but himself could settle them. Mr. Laurens replied, it would be altogether irregular to put the Books out of his, into the hands of a Gentleman not a Member of Congress. That he should make an essay for adjusting them, and that when he should stand in need of assist-

ance or information from Mr. Morris, he would take the liberty to call on him.

MS (ScHi: Laurens Papers, no. 21). In the hand of Moses Young and endorsed by him: "Anecdote Respecting Robert Morris Esquire and the Books of the Secret Committee."

¹ When this memorandum was composed is not known; it has been placed here because Robert Morris' public response to statements contained in it is dated January 7. See Robert Morris to the Public, this date.

Morris' letter to the public was actually stimulated by an attack written by Thomas Paine that was serialized in a number of issues of John Dunlap's *Pennsylvania Packet*. Because the information concerning Morris' conduct contained in Laurens' memorandum is so similar to Paine's references on the subject, it is clear that Laurens was a principal source of information used by Paine against Deane and his supporters. This conclusion is also supported by the fact that on January 8 Laurens was forced to admit that he was the delegate who had revealed to Paine the substance of the previous days' congressional debates on a motion calling for the latter's dismissal as secretary to the Committee for Foreign Affairs. See *JCC*, 13:36-37; and John Jay to Gérard, January 10, 1779, note.

Evidence confirming Laurens' collaboration with Paine at this time is found also in the following undated, unsigned, and previously unidentified letter from Paine to Laurens located in the Henry and John Laurens Papers, DLC. The document was obviously written soon after Paine's resignation on January 8 as secretary to the Committee for Foreign Affairs, which he mentions in the concluding sentence of his note.

"Sir, The Paragraph I allude to in the bottom of the Second page.

"You will observe that a great Secrecy is enjoined. But that cannot *now* be the true reason, because war is broke out since—and the Original is in the hands of the Enemy. Deane has undoubtedly forgotten that such a paragraph is in the letter.

"I wish you may not use this too hastily—if you can only delay matters in Congress till my Interview is over it may answer a better purpose.

"If you have not a Copy of Mr. Lee's Letter I have sent it for that Purpose.

"When you have nothing to do, the enclosed will serve to Amuse—and knowing what my Conduct has been, you will be better able to reply to undeserved reproach for doing my duty.

"Please to return it by your own Servant. These are the letters I referred Congress [to] when I made my resignation."

For "the letters I referred Congress to when I made my resignation," see Paine's January 8 letter of resignation, Thomas Paine, *The Complete Writings of Thomas Paine*, ed. Philip S. Foner, 2 vols. (New York: Citadel Press, 1945), 2:1159-60.

² See these *Letters*, 9:32n, 151.

Gouverneur Morris' Speech in Congress

Mr. President.

[January 7? 1779] ¹

As the several Motions ² on your Table appear to be founded upon the same Principle, I shall make some few Observations which relate to them all without balancing their respective Merits or taking Notice of the many Inaccuracies with which they abound. It gave me great Pain Sir to hear in the Debates both of Yesterday and this Morning

the Word *Party* made Use of. This is a Word which can do no good but may produce much Evil. If there be a Party among us the Name is unnecessary. If there be not it is unjust—And certainly there is not. There is indeed in this House a chosen Band—of Patriots, who have a proper Respect for each others Opinions, A proper Sense of each other's Feelings and whose Bosoms glow with equal Ardor in the common Cause. But no *Party*. Gentlemen mean Nothing but the public Good tho sometimes they mistake their Object. But I would warn Gentlemen against indulging too far this Tenderness for each other. When *one* hath in View a favorite Object or hath adopted a favorite Opinion others hastily catch the Idea. The warm Effusion flies from Breast to Breast and Reason lags in the Pursuit. Hence arises a Prepossession which Reason combats in Vain. I hope for Indulgence whilst I state the Case before us as it really exists. I know that a Gentleman stands in a disagreeable Attitude whilst combating Principles which *appear* to flow from Regard to the Privileges of a Citizen and Respect for the Rights of Mankind. Yesterday we were told by an honorable Member, that these Rights and Privileges would be drawn into Question. He ventured to prophesy that they would and warned us to beware. On this Occasion the honorable Member was in Capacity to be an excellent Prophet. A very excellent Prophet, Mr. President. But I am not to be terrified by these Shadows. I trust I shall be able to shew that the Rights of a Citizen are nowise concerned in the Determination on the Matter before us. Gentlemen exclaim Do not deprive Mr. Payne of his Office without giving him a Copy of the Charge! Do not punish a Citizen unheard! I ask on what Tenure he holds that Office? Is it during good Behaviour? If it be he must be convicted of Malconduct before he can be removed. But we are not the proper Court to take Cognizance of such Causes. We have no criminal Jurisdiction. Clearly then he ought not to be heard before us. But he does not hold his Office during good Behavior it is during Pleasure that he holds it. And what are we? The Sovereign Power who appointed and who when he no longer pleases us may remove him. Nothing more is desired. We do not wish to punish him.³ For how is he to be punished? It hath been said he is guilty of a Breach of his Oath of Office. Shall he be prosecuted for Perjury? Shall he be cropt? Sir we do not want his Ears. Shall we cause him to be whipt? Sir he hath already been so often whipped that it hath become habitual. Shall he be put in the Pilory or the Stocks and exposed to publick Shame? Sir it is a long Time since he hath set all Shame at Defiance.

What then do we ask? To turn a Man out of Office who ought never to have been in it. Let us examine the Circumstances. Mr. Payne Secretary to the Committee of foreign affairs stiling himself *Secretary of foreign Affairs* acknowledges himself to be the Author of a Publication highly dishonorable to his most Christian Majesty and very in-

jurious to him and us. Dishonorable to the King of France because it is in direct Contradiction to repeated Assurances given to the British Court. Injurious to our mutual Interests because it enables the Ministers of Great Britain to charge France with a Breach of the Treaties and call upon other Courts for the Performance of Engagements entered into upon a View to that Contingency. Gentlemen who know Mr Payne may be unwilling to believe this. It deserves Consideration. The Secretary of foreign Affairs is the Person who of all others must from the Nature of his Office be best acquainted with such Transactions. His Assertions therefore contain the fullest Weight which Knowledge can give. And not only so but from the Importance of that Office none but the most approved and exalted Character could be by a wise People intrusted to fill it. And therefore The Ideas annexed to such a Character will serve to authenticate his Assertions. Foreigners Sir have not an adequate Idea of the Manner in which Business is conducted in this House nor the Difficulties we have labored under. They are led therefore to compare every Thing on the Scale of their own Experience—And what would be the Idea of a Gentleman in Europe of this Mr. Payne. Would he not suppose him to be a Man of the most affluent Fortune born in this Country of a respectable Family with wide and great Connections and endued with the nicest Sense of Honor? Certainly he would suppose that all these Pledges of Fidelity were necessary to a People in our critical Circumstances. But alas, what would he think Should he accidentally be informed that this our Secretary of foreign Affairs was a meer Adventurer *from England* without Fortune, without Family or Connections ignorant even of Grammar?⁴ and one who had tamely submitted to be kicked and cuffed from one End of America to the other. Could he believe this? And if assured of the Fact, And if possessed only of common Sense, would he not think that we were devoid of it? And yet, Sir, this is the Man whom we would remove from Office And this is the Man who hath been just now puffed as of great Importance.

Considering the Case as it stands before us there are three Objects which require our Attention. The first is to obviate the ill Effects of his Publication. The second to remove him from Office. And the third to assign proper Reasons for that Conduct so as to connect the two first Propositions together and give a greater Weight to all our Measures.

In Order to obviate the ill Consequences of his mad Assertions we must pointedly contradict them. I say we *must* contradict them for to such a deplorable Situation hath this Man reduced us that altho many Gentlemen in the House might be of a different Opinion they Would find themselves urged by irresistible Motives of Policy to contradict his Assertions—Happily we have on our Table the fullest Evidence to ground a Declaration that what he hath published is untrue.

We must then proceed to assign our Reasons for removing him from his Office. These cannot be wanting. For in the first Place he never was fit for it and in the second Place he hath abused it in the Instance before us most flagrantly and therefore is utterly undeserving of any farther Confidence.

Lastly we must remove him for without this in contradicting him we shall not be beleived. Nor is this the worst of the Matter. The Presumption is that he would not have written these Things without our Consent and therefore a Disavowal of the Person becomes necessary not only to give Credit to a Disavowal of the Thing but to convince our Allies that we ourselves are not the Authors of this infamous Falsehood. And here Gentlemen step in and tell us of Mr. Payne's Importance. Sir were he really of Importance Nay more were his Assertions really true I should not hesitate a Moment to dismiss him from our Service. Duty to our Ally requires it. Duty to ourselves requires it. Look at his threatening Letter on your Table. What! are we reduced to such a Situation that our Servants shall abuse the Confidence reposed in them shall beard us with insolent Menaces and we shall fear to dismiss them without granting a Trial forsooth? And what are we to try? Has he not acknowledged himself to be the Author of those exceptionable Paragraphs? Are we not able to judge of them and to determine what they mean? Do we not know that they contain a Falsehood? Suppose Mr. Payne to be now standing at our Bar what would you do? Would you confess an Ignorance of Language and ask what those Paragraphs mean? Surely you would not. Would you ask him whether the Idea contained in them is true or false? It is utterly unnecessary. His Answer is ready "That they are true." But we know them to be false and we can hardly be so weak as to balance in our Judgment between Mr. Paine's Opinion and the full Evidence on our Table. What then remains unless it be to ask his Advice as to our Future Conduct. Sir He will tell us that he is Thomas Paine Author of all the Writings under the Signature of Common Sense, and Secretary of foreign Affairs, that he is a Man of infinite Importance far more entitled to our Respect than the most Christian King and that we must not dare to dismiss him from our Service because to his other Titles he adds that of a Citizen of Pensilvania—And should we take his Advice? And shall we be moved by his Threats? And shall we be amused by paltry Tales of this Creatures Importance? I hope not. I am confident we should not have wasted so much time and had so many Motions on this Subject but that some Gentlemen feel themselves interested in supporting—the Rights of a Citizen and but for that mutual Confidence and good Opinion and reciprocal Sentiment which is too apt to mislead those who are not constantly under the Guard of Reason.



Thomas Paine

MS (NNC: Morris Papers). Written by Gouverneur Morris, and endorsed by him: "Speech made in Congress ab: Mr. Payne—taken Down afterwd. from Memory to obviate MisRepresentation." When this document was printed in his *Life of Gouverneur Morris* . . . , 3 vols. (Boston: Gray & Bowen, 1832), 1:200–204, Jared Sparks omitted two passages from the text (noted below), and introduced punctuation and verbal changes which he apparently thought improved Morris' prose. Edmund C. Burnett reprinted this document from Sparks. Burnett, *Letters*, 4:12–15.

¹ It seems clear that Gouverneur Morris delivered this speech on January 7 during the second day of debate on the motion to dismiss Thomas Paine as secretary of the Committee for Foreign Affairs. Although Morris did not date his manuscript, he does refer in these notes to "the debates, both of yesterday and this morning." As "yesterday" was doubtless January 6, the day debate on Paine's dismissal began, Morris was therefore speaking on the afternoon of the seventh. See *JCC*, 13:30–36; and John Jay to Gérard, January 10, 1779, note.

² For these "several motions," see *JCC*, 13:31–34.

³ Remainder of paragraph omitted by Sparks.

⁴ Remainder of sentence omitted by Sparks.

Robert Morris to the Public

Philada Jany. 7th. 1779.

I was not a little Surprized to find my Character attacked by a Publication in Mr Dunlaps paper of the 5th Inst. altho a little prepared to expect by a paragraph from the same Hand in the paper of the 31st Decr. last that something or other would be said to my Disadvantage.¹ The author of these writings Stiles his performance an address to the Public on Mr. Deanes affair—why the author quitted Mr. Deane to bring me on the Stage is immaterial and as I do not mean to enter the lists with him, I shall Content myself with stating simply the Facts he has alluded to. I do not Conceive that the State I live in, have any right or Inclination to enquire into, what Mercantile Connections I have had, or now have, with Mr Deane or with any other person whatever. If Mr. Deane had any Commerce that was inconsistent with his Public Station he must Answer for it. But As I did not by becoming a Delegate for the State of Pensylva., relinquish my right of forming Mercantile Connections, I was unquestionably at Liberty to form such with Mr. Deane. My now Giving the Account this Author desires, is not to gratify him, or resign the right I contend for, but purely to remove the force of his insinuation on that Subject and to do this effectually I will candidly relate all the Commercial Concerns I have had with Mr Deane.

The first was a Concern in a Brigt and Cargo fitted out by Mr Delap of Bourdeaux for this Country one third on his own Acct, one third on Mr. Deanes & the other third on W[illing] M[orris] & Co[mpany]s Acct. This Vessell was taken & Mr Delap charged Willing Morris & Co (whose Monies he had in hand) for their share.²

The second, was in a Valuable Ship & Cargo fitted for America by

an Eminent Mercht in France who advanced the whole Money for W M & Cos share which amounted to Lrs 50,000. and has since been repaid with Interest by remittances made from this Country for the purpose. I always understood Mr. Deanes share to have been the same & Circumstanced in the like manner.³

The third & last Concern was as follows. I *proposed* to Mr Deane and some other Friends in Europe, to fit out a Privateer to Cruize on the British Trade.⁴ To pay for my share I shipped 86 hhd's Tobo. onbd the Ship in which the intended Captain of the Privateer Went passenger to France. A french Gentn of Rank & Consequence in Paris adopted this plan & undertook to have it executed, but by the mismanagement & Villainy of some Agents he employed it was rendered abortive and the parties Concerned lost about £1000 Stg in charges & expences, what share Mr Deane held in this Adventure or whether any I really do not know.

These are all the Commercial Connections or Concerns I had with Mr Deane whilst he was in France and the two first took place whilst he acted as Commercial Agent.⁵ Whether in Consequence of my good opinion of Mr Deane as a Man of honor & Integrity I have been led to form any & what new Concerns with him since his arrival here, is a Matter which the Public are no ways interested to know.

(I shall now to proceed to that part of the Publication wherein my Name appears) The express Charge against me in the Publication of the 5th Inst is in these Words. "Hitherto our whole Anxiety has been absorbed in the means for Supporting our Independence and we have paid but little attention to the expenditure of Money, yet we see it daily depreciating and how should it be otherwise when so few public Accounts are settled and New Emissions continually going on. I will venture to mention one Circumstance which I hope will be sufficient to awaken the attention of the Public to this Subject. In October 1777 some Books of the Commercial Committee in which among other things were kept the Accounts of Mr. Thos. Morris, appointed a Commercial Agent in France, were by Mr. Robert Morris's request taken into his possession to be settled he having obtained from the Council of this State six Months leave of Absence from Congress to settle his affairs. In Feby following those Books were called for by Congress, but not being Completed were not delivered. In Sept. 1778 Mr Morris returnd them to Congress in or nearly in the same unsettled State he took them, which, with the Death of Mr. Thos. Morris may probably Involve those Accounts in further embarrassment. The Amot. of the Expenditure on those Books is Considerably above two Millions of Dollars."

I shall now give the true state of these matters. My leave of Absence from Congress was obtained from the Supreme Executive Council at Lancaster the 11th Day of Novr. 1777 and bears that date; I returned

to Congress and on the 28th Novr. informed them of my leave of absence obtained to Settle the affairs of the late House of Willing Morris & Compy as well as my own & as some leisure time might Occur I offered in full Congress to take with me the Books of the secret Committee which were then unemployd. The Offer was accepted by general Consent, tho no resolution was entered, it being unnecessary. The day I left Congress I was appointed on a Committee to repair to Head Quarters from whence I did not return to Manheim untill the 15 Decr. at which time the Books were not arrived nor did they reach me untill the latter end of that Month.

In the beginning of Feby 1778 I was informed that some matters to my prejudice had been insinuated by a Member in Congress respecting these Books whereupon I wrote a letter dated the 8th that month to the Commercial Committee who then had the Direction of them complaining of the injury and offering to return them and received an Answer dated the 21st, containing the following Clause "We laid this letter (meaning mine) before Congress who desired us to inform you that they wou'd have you still keep the Books in your possession and settle them as soon as you could." Accordingly I retained them & untill they were redelivered employd on them the little leizure which remained from my private avocations & the many interruptions occasioned by public business which pursued me in my retirement & many times obliged me to Visit York Town each visit taking up from four to six days. In the beginning of June I went to Camp at Valley Forge & remained there untill the evacuation of this City, after a Weeks stay here I returned to Manheim to bring down my Family & Effects. I was again in Philada the 4th day of July the Anniversary of our Glorious Independance & in the course of a Week or Ten days my Effects & with them the Books in Question came down and remained unopened untill I delivered them to the Clerk of the Commercial Committee which I think was in that Month July. Thus it appears that instead of having these Books to Work in, from Octr 1777 to Sept 1778, it was in my power to do so only from the latter end of Decr. to the first of June; And instead of returning them in the same or nearly the same unsettled State they were received, these Books will shew that I Settled a Number of Accounts the Entries being made with my own hand in the Waste Book. They were afterwards Journalized & Posted by my Clerks, untill the Ledger was so full that there was not room to open any More Accounts in it. I sent to Lancaster to procure paper of the same Size to be sewed into that Book that I might go on but none suitable for the purpose could be obtained & I was obliged to shut these Books at that time. Mr. T. Ms. papers were Seized on his Death in France by the Kings Officers according to the Custom in that Country they were afterwards delivered to & kept by the American Commissioners untill orders shoud appear from America. I applied

to Congress for an order to have them delivered to my Agent; tho' at that time ignorant of the State of his Accts. I pledged myself to Congress tho' no ways bound to do so, that I would pay any balance that might be due, from him to the Public. These Books & Papers I have not yet recd. nor do I know whether the order for them has reached my agent's Hands but the House at Nantz who under his Direction transacted all the commercial business of Mr. T. Morris have rendered clear Accounts of those Concerns to the Commercial Committee. His Accounts have, since I delivered up the Books, been rendered by the House that transacted the Public business under his Superintendance. There is no embarrassment in them that I know of and instead of his being a Debtor the Balance is in favour of that House Lrs. 50380.2.9 or about £ Sterlg which they stopped from Monies of W. M. & Cos in their hands & have empowered me to receive the same from Congress.

By this manner of mentioning that, the Amount of Expenditures on the Committee's Book is considerably above Two Millions of Dollars, some People may be led to imagine that I stand Accountable for that Sum. The Fact is thus. The Books are Kept by double Entry and the Treasury having Credit for all the Monies drawn from it, by the Committee, those who received are charged & Accountable for what they did receive, many Gentn from New Hampshire to Georgia entered into Contracts on which they recd parts of this Money for which they have accounted or are to Account and in the like manner is my late House or myself to Acct for all Monies by them or me received. Twice I have settled W. M. & Cos Accounts with the Secret Committee and the Entries thereof are in their Books the last was closed in May 1778 a balance being thus due to my House. There are it is true many Articles yet to be Settled. I have made out In best State of them in my power and wou'd gladly make a final Settlement if possible, that cannot now be done because some Accts Sales & Accts Currant are not yet received from Europe and many Articles of Goods which are finally to be Articles of these Accounts have been by inevitable Accidents lodged in the West Indias & must be carried to Account in different ways on the Contingency of their safe arrival within the United States. On the best Computation I can make of all the depending Accounts my late House & myself have with the Continent the latter are considerably indebted, and I shall either make a Speedy Settlement or if Circumstances continue to put that out of my power I will lay before Congress a full State & Estimate of these dependancies when I doubt not they will do ample [. .] Justice to my Character.

As my determination is not to enter into any Controversy with the Author that has made this unprovoked & unmerited attack I do not think it worth while to take any other Notice of his remarks referred

to in the Publication respecting the Government of Pennsylvania, than to agree that whenever I aim at the Government or at handling the Public Money, these remarks shall have the full force he intends on my reputation. Out of respect to that Public with which I wish to stand as fair as my real Conduct & Character deserves so far have I been from protracting the Settlement of Public Accounts that I have on all occasions promoted such Settlements and all measures that tended thereto. In Novr 1777 before I left Congress at York Town I drew up a report from the Commercial Committee for Establishing a Board of Commissioners to manage the Public Commerce & settle the Accounts, urging that it was Impossible for Members of Congress if ever so well acquainted with business to do that duty & attend in Congress, this I urged frequently & the report being opposed by some still lies undetermined on in Congress. After joining Congress in Philada I moved that the Old Members of the Secret Committee as most Competent might be reappointed a Committee to finish the Settlement of their Accounts which was agreed, but those members being much engaged one of them that did attend I hired a good accomptant to Work at those Accounts which he did untill discharged by a Member of the New appointed Commercial Committee who I understand have undertaken to finish the Settlement of these Accounts himself. I will only add, that it is in my power to prove by papers in my possession, papers & records in the Public offices or by living Witnesses of unquestionable Character every Circumstance & Fact that I have laid before the Public.⁶

R M

[P.S.] Mr. Robert Morris of Philada. presents his Compts to such Printers as may re-Publish the papers Stiled, Common Sense to the Public on Mr. Deanes affairs—and Request's they will republish therewith this address to the Public and he will chearfully pay their drafts on him for the charge of printing.

MS (DLC: Morris Papers). In the hand of Robert Morris. This document was printed, with many minor variations, in the January 9, 1779, issue of the *Pennsylvania Packet*. Although Morris did not attend Congress after November 1778, the issues discussed in this document and in his January 11 letter to Henry Laurens on the same subject bear so directly on several significant congressional matters that they have been deemed integral to this edition of delegate correspondence.

¹ The "Publication in Mr Dunlaps paper" to which Morris is responding was actually a lengthy letter Thomas Paine addressed "to the Public on Mr. Deane's Affair" which appeared over his pseudonym Common Sense in the December 31 and January 2, 5, 7, and 9 issues of John Dunlap's *Pennsylvania Packet*. It is more readily accessible in the *Deane Papers* (NYHS Colls.), 21 (1888): 209–39.

² See these *Letters*, 4:154–55.

³ *Ibid.*, pp. 656–58.

⁴ *Ibid.*, 6:177.

⁵ For Morris' "concerns" with Deane, see also *ibid.*, 7:268–70, and *Deane Papers* (NYHS Colls.), 20 (1887): 293–97.

⁶ Several of the "papers" referred to by Morris have been printed in this edition

of delegate letters. For references to a number of these, pertaining to many of the events and issues discussed here by Morris, see volumes 8, 9, and 10 of these *Letters*. For Henry Laurens' efforts to correct the facts Morris here "laid before the Public" and Morris' response to Laurens' challenge, see Laurens to Morris, January 10, and Morris to Laurens, January 11, 1779. For Thomas Paine's reply to Morris, which appeared in the January 12 issue of the *Pennsylvania Packet*, see the *Deane Papers* (NYHS Colls.), 21 (1888): 266-72.

John Fell's Diary

[January 8, 1779]

8th Fryday. Commercial Committee 9 oClock. Congress. Letter read from T. Payne with his Resignation, debates on the subject lasted till past 4 oClock. Dr Weatherspoon went home.¹ Dined with Congress.

MS (DLC).

¹ John Witherspoon's departure initiated a very irregular record of attendance at Congress for 1779, which Witherspoon explained in a March 20, 1780, letter to a friend in Scotland. "I have now left Congress, not being able to support the expense of attending it, with the frequent journeys to Princeton, and being determined to give particular attention to the revival of the college. Professor Houston, however, our professor of mathematics, is a delegate this year; but he tells me he will certainly leave it next November. I mention this circumstance to confirm what I believe I wrote you formerly, that the members of Congress in general, not only receive no profit from that office, but I believe five out of six of them, if not more, are great losers in their private affairs. This cannot be otherwise; for as none of the delegates are allowed to have any lucrative office whatever, either in their own state or for the United States, though their expenses should be fully borne, their time is taken up, and their own private estates are neglected. At the end of the year 1778, I gave notice to our legislature that they must either not chuse me at all, or leave me at full liberty to attend only when I could conveniently. They chose me however, and I made a good deal of use of that liberty in the year 1779; and this year all the delegates were changed but one, who had only been in one year, and who has not a house to go home to, his estate being in the neighbourhood of New York." John Witherspoon, *The Works of John Witherspoon* . . . , 9 vols. (Edinburgh: J. Ogle, 1815), 9:171.

Samuel Holten's Diary

[January 8, 1779]

Friday. Congress sit 'till 4 o'Clock, & then dined at the city tavern, where they had invited Genl. Washington & a number of other Gentlemen to dine with them.

MS (MDaAr).

Thomas McKean to Thomas Collins

Sir,¹

Philadelphia Jany [8?] 1779

From a full expectation that I should have been able to attend the General Assembly in person I have omitted to write to you before; but as I am prevented the satisfaction of being at Dover during this Meeting, owing to a variety of untoward circumstances, I shall tro[uble] you with a few lines.

Since I had the honor of writing last to Mr. Speaker of the Assembly the State of New Jersey has ratified the Confederation; and the Senate and Assembly of Maryland have sent to Congress an instrument called a Declaration, in which they approve of the several articles, provided Congress will add another for the limiting the boundaries of the States claiming to the South Sea or the Mississippi, and thereby allotting all lands, ungranted, surveyed or possessed at the commencement of the present war, for the use of the United States; they have also accompanied this with another instrument, asserting that their Delegates had ample power to make and conclude the Treaty with France which they term wise, just, equal and generous, and declare they will preserve inviolate for ever. Virginia has passed a law, allotting lands for the troops of all the States, or of such of them as choose to accept them; and for empowering every inhabitant of the United States to take up lands in that State upon the same terms with any Citizen of that Commonwealth: this law I have not seen, but had the information from the Honoble. Thomas Adams just arrived from thence; he is one of their Assembly and a Member of Congress.

Many evils are foreboded from the Confederation not being ratified, which I shall beg leave to mention; it is said, that it holds up a prospect to Great Britain of creating disunion and drawing off some of the States, and therefore they may be induced to continue the war another Campaign—that it obstructs the negotiations of our Plenipotentiaries in Europe, in the forming other Alliances—and that it affords a pretext to France, were she so inclined, to conclude a peace with Great Britain without any reference to us, by alledging that she had been *deceived* in the Treaty; that we had called these States the *United States of America*, when in reality they had not confederated, nor would confederate. There are many other disadvantages suggested, such as its being a temptation to the confederated States to commence a war against the others, upon some pretence or other (and such pretences are never wanting) and when conquered to annex them to some other, or sell them for the purpose of discharging public debts &c.

Upon the whole I am clearly of opinion, that it is for the interest

of the United States in general, and of Delaware in particular, from its situation, that the Confederation should be ratified by us, and should therefore give my voice most chearfully for the measure.³ I hope we shall not be the *last* in coming into it, lest that should be interpreted Disaffection, which I am fully persuaded is owing to another cause; and lest it should be assigned as a reason hereafter for not admitting us into the Union, but for subduing us by Force.

I must beg pardon of the House for requesting that they would press it upon their Delegates, that two of them should constantly attend in Congress, for reasons which must be apparent to every Member.

I have the Honor to be, Sir, with the greatest regard, Your most obedient humble servant,

Thos M:Kean

Tr (DeAr).

¹Thomas Collins was speaker of the Delaware Assembly. Rodney, *Letters* (Ryden), p. 294.

²Thomas McKean probably wrote this letter soon after January 7, the day Thomas Adams, whom McKean noted had "just arrived" from Virginia, resumed his seat in Congress. Moreover, the Maryland declaration on the Articles of Confederation, also referred to by McKean, had been read in Congress on January 6—the day McKean's own attendance at Congress resumed in 1779. See *JCC*, 13:29, 31; and Thomas McKean to Eleazer McComb, December 1, 1785, containing an account of his attendance at Congress, which is in the Emmet Collection, NN.

³McKean finally signed the Articles of Confederation for Delaware on February 22, 1779, after presenting Delaware's February 1 ratification authorization to Congress on February 16. See *JCC*, 13:150, 186–88, 236.

Committee of Conference to George Washington

Sir,

Phil. 9h Jany 1779

In order to give dispatch to the several matters mentioned in your Excellencys Report to the Committee it is proposed to offer Resolutions to Congress on the Heads you enumerate.¹ We wish that the Remedy may be effectual and think it happy that we can be favoured with your assistance. We therefore request that you will be pleased to point out what ought to be done with respect to the Arrangement of the Army—the Department of Artillery & Ordinance—the Cloathing departmt, the Inspectorship & the Branch of Engineers. Indeed we think it would be adviseable to vest the Commander in Chief with power to make these & every other arrangement for the good government of the Army by forming a compleat System to be adopted by Congress as their Act & We submit this last Suggestion to your Excellency's Consideration being unwilling to throw any Burthens upon you which may be disagreeable.

I have the Honour to be, Sir, Your Excellly most Obedient, humble Servant,

Jas Duane

RC (DLC: Washington Papers). Written and signed by James Duane.

¹ For Washington's January 8 letter to the committee and the enclosed "Minutes of Sundry Matters to become the subject of conference with a Committee of Congress," which are in the Washington Papers, DLC, see Washington, *Writings* (Fitzpatrick), 13:485-89.

Oliver Ellsworth to Abigail Ellsworth

Dear Girl,

Philada. Jany. 9. 1779.

Was you to see me this night, in the scituation I am, with a beard a week old, with the cape of my great Coat buttoned about my ears, & a large muffler of Baize across my nose & mouth, I am sure you would not give me a kiss; & that would be ten times worse than the pain I now feel, & have felt for *<ten>* days past. In short such a fare I never had before & hope never shall again. How I came by it I know not, nor do I care, so that I get rid of it again, which I think I shall in two or three days more. And you will expect I suppose that [the] moment I am able to ride I set off, post haste for home; but, my dear, I cannot come [. . .] will give you no reasons why because [you wi]ll believe none; only that I cannot come & must do without [. . .] I will tell you more for your amusement, & that is how I kept Christmas. I went among the papists & atended divine service in a romish chappel, where I confess I was wonderfully struck with the shew of the place, the superstition of the ceremonies & devotion of the people. I did not arive in season to smell the burning of frankinsense, nor to see our saviour carryed about in a cradle under pretense of his having been born the very night before; but I saw him extended at full length upon the cross, seven golden candlesticks burning upon an Alter before him, & one in the midst with a candle as large as a man's Arm. At this alter stood their priest covered with a mantle bespangled with [. . .] & two boys, in white, to hold up the [. . .] it, & occasionally to ring a little [. . .] held in thier hands. The Alley leading [. . .] the Image of our saviour [. . .] men & women on their knees [chan]ting prayers out of lattin books [. . .] understood not a word of, & those who had no book had strings of beads in their hands, which they counted over & answered the same purpose. The priest administered the sacrement to a number, but I observed after he had put a small wafer into their mouths, he drank all the wine himself & when his Glass was out one of his boys stepd up & filled her again, & so on until the cruize gave out when the kneelers arose & that priest [. . .] & dipping in their fingers & crossing themselves the service was finished, & I returned home to a dinner which gave me more substantial entertainment—thus ended Christmas & thus ends my Letter.

My dear Adieu, O Ellsworth

[P.S.] Daddy's love to little Nabby & will bring her some plumbs.
Compliments to your family. OE.

RC (CtHi: Ellsworth Papers). Tr (CtHi: Ellsworth Papers). RC damaged; missing words taken from Tr.

John Fell's Diary

[January 9, 1779]

9th Saturday. Commercial Committee. 9 oClock. Congress. Letter from Genl. Putman, giving an acct of Huntingtons Regiment attempting to Mutiny, confind some and prevaild on the rest to return to their Duty, Referrd to the Committee to conferr with Genl Washington. Letters from Coll Beatty and Genl. Portail were read refferd to the same Committee; Coll Beatty wanted to have his Powers defined, that he may act in his department of Commisary General of Prisoners, without being controlld by the Officer on the Post &c. 2 Brigadier Generals appointed by Ballot for No Carolina viz Somner 13. Hogen 9. Clark 4. (? first)¹ 1 Do [Brigadier General appointed by Ballot] for Maryland Col Gist.² Letter Read from Mr. McPherson, desiring an appointment. Debate concerning Mr. Payne lasted till 5 P.M.

MS (DLC).

¹ Thus in MS. For the election of Jethro Sumner and James Hogun as brigadiers this day, as well as South Carolina's Col. Isaac Huger, see *JCC*, 13:46; and Thomas Burke to Richard Caswell, January 10, 1779.

² Mordecai Gist was informed of his promotion in a brief January 11 letter from William Carmichael, who reported: "It will be an additional satisfaction to you to know that you were unanimously appointed by Congress & that General Washington hath expressed his warmest approbation & high satisfaction on the occasion." Gist Papers, MdHi. In commenting on this promotion, Edmund Burnett quoted a January 21 letter to Gist from Samuel Sterett, an assistant clerk of the Pennsylvania assembly, which stated that Gist had had "a Competitor [Col. Thomas Price] for this promotion," although the journals indicate that Gist was the only Maryland officer nominated at this time. See *JCC*, 13:46; and Burnett, *Letters*, 4:30n.

Henry Laurens' Notes on His Remarks in Congress

[January 9, 1779]¹

Mr. Laurens requested to be indulged in a few words in order to remove prejudices from the minds of the Members.

He then produced a News Paper containing a Publication signed Robert Morris & read the following Paragraph Vizt.²

He observed that he did not put on the Cap or make an application because it fitted but because the application had been made to him, & then appealed to the Honorable Mr. Penn³—that he had not insinuated but asserted certain facts which had been reported to him at York Town, recapitulated the information he had received respecting the exportation of a Cargo of about 470 Hdds of Tobacco, the Bills of Loading which were fitted up to be delivered to the order of Willing, Morris & Company or W & M—that the question was asked Mr. M—— on whose account the Tobacco was, he replied that it would be determined at a proper time, that the Vessel was Captured, when by accounts it appeared that only a small quantity about 11 Hogsheads—appeared to be on Account of W M & Company or W & M & the rest on Public Account—that he had asserted this in Congress at York Town, that he then appealed to the Hon. Gentn. who had given him the information,⁴ that the Gentn. called upon him in the Evening & said he was very sorry he Mr. L had mentioned the affair. Mr. Laurens asked him why, because said the Gent. I had determined to mention the matter to Mr. Morris himself, that he replied you know Sir I told you at the time that such a Circumstance ought not be kept a secret, that Justice to Mr. Morris as well as to the Public forbid it.

That the honorable Gentn. who had given him the information at York Town was now on the floor & he was sure he had candor & generosity enough to confirm what he had said.

MS (William Gilmore Simms Collection deposit, MHi). In the hand of Henry Laurens.

¹ During the debates in Congress this day, Laurens “rose in his place to remark on a paragraph in the Pennsylvania Packet, of this day,” in the course of which some delegates concluded that he had virtually charged Robert Morris with fraud. The result was that both William Paca and Gouverneur Morris immediately moved that Laurens “be requested to reduce the above relation to writing.” Laurens consequently supplied the requested account on January 11, and apparently drafted these notes on his conduct in this affair at about the same time.

For the context of this controversy, Secretary Thomson’s revision of his journal entry on these sensitive proceedings, the “relation” Laurens submitted to Congress on the 11th, and the documents spawned by the submission of Laurens’ “relation,” see *JCC*, 13:46–47, 49–50, 65–67, 79–86; Laurens’ Statement, January 11; Francis Lewis to Congress, January 14; and Laurens to Congress, January 16, 1779. See also Robert Morris to the Public, January 7; Laurens to Robert Morris, January 10; and Morris to Laurens, January 11, 1779.

² Although Laurens did not include “the following Paragraph” in these notes, he is apparently referring to the eighth paragraph of Robert Morris’ January 7 letter to the public printed above where Morris refers to a February 1778 incident involving the books of the Committee of Commerce, in which, he explained, “I was informed that some matters to my prejudice had been insinuated by a Member in Congress.”

³ Laurens’ relations with John Penn had been strained for some time, according to the later testimony of Charles Thomson, and this appeal to Penn for confirma-

tion was probably the episode that led the two men to clash. Penn, it seems, refused to respond to Laurens' appeal, and the latter chose to regard the refusal as an attack on his honor. In any event, two contemporary documents contain reports that Laurens and Penn engaged in a duel at about this time—a January 17 letter from Conrad Alexandre Gérard to Vergennes and a January 21 letter from Samuel Sterett to Gen. Mordecai Gist. See Meng, *Gérard Despatches*, p. 473; and Gist Papers, MdHi. For Secretary Thomson's testimony that when Laurens was president he had once openly taunted Penn from the chair while Congress was in session, see Charles Thomson's Statement to a Committee of Congress, September 6, 1779.

Although Gérard did not explicitly identify the episode that led to the Laurens-Penn duel, he did report that it was triggered by Penn's failure to confirm a point of fact when called upon to do so by Laurens, whereupon the latter "took that response for a contradiction." On the field of honor, Gérard went on to explain tersely, each fired a single shot without effect and they separated. As this duel was one of eight or nine that had been reported to him in recent weeks, Gérard concluded that the American rage for this pernicious practice had reached an incredible and scandalous level.

The same conclusion seems to have prompted Sterett's similar report on dueling in the city of brotherly love. "The Custom of Duelling," he asserted, "is exceedingly prevalent at present in this City. Such is the Dominion of fashion that neither penal laws, or sentiments of religion are able to abolish this barbarous and unjustifiable practice. Two Members of Congress, Mr. Lawrence the late President and Mr. John Penn from N. Carolina lately decided some nice point of honor by single Combat. Such is the countenance given to that mode of satisfaction by the example of those illustrious heroes in romance, that we have new duels fought every day."

To a modern observer, the absence of any discussion of a Laurens-Penn duel in the surviving correspondence of the delegates themselves is no less surprising than the contemporary enthusiasm for the custom itself.

⁴ Francis Lewis.

Marine Committee to the Eastern Navy Board

Gentlemen

January 9th 1779

Your Letter of the 9th instant ultimo was received & duely notified;¹ the Committee have applied for A Warrant for A further supply of money for the use of your Department, which will be forwarded immediately after it shall be obtained. You will please to Send your Accounts of expenditures with all possible dispatch.

The Southern States especially Virginia & Maryland, are alarmed and very justly with the number of Goodriches Fleet, as it may be called, and their Success in capturing many Vessels—indeed few escape that are Sailing out or into Chesapeake Bay. Effectual measures must be immediately taken to prevent their depredations; The Committee are in daily hopes of hearing that A Sufficient force is cruising on that Coast pursuant to their Letters to your Board in November last. It is a matter of great importance not only to those particular States but to the united States in general, for much of the public business of the Continent in the way of necessary Supplies and

Remittances is done in that Bay. We shall answer your Letter more particularly in our next. In the mean time we remain with Sentiments of regard, Gentlemen, Your very Hble Servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

¹ The Eastern Navy Board's letter of December 9, 1778, which reported the status of several ships and requested additional money and men to outfit those needed for the southern expedition, is in the Eastern Navy Board Letterbook, NN.

Thomas Burke to Richard Caswell

Sir,

Philadelphia Jany 10th, 1779.

Some time ago the Congress resolved to appoint two Brigadiers for our State, and agreeable to instructions we nominated Colos Sumner and Clark. Yesterday Col. Sumner and Hogan were sworn by ballot. The choice of the latter gentleman not being pursuant to the Instructions, the design of this letter is to account for it, and, if you please, you may lay it before the Assembly.¹

After the nomination of Cols Sumner & Clark Mr Hill and myself who lodge together, were informed by a gentleman, who came immediately through the army, that the deviation from the line of Seniority of rank, in the intended promotion of Col Clark, gave great uneasiness, that it was considered by Officers of every Corps, as a violence to Military rank and honor, and by all resented. Reflecting that this matter of Military rank had given great uneasiness, and occasioned great embarrassment to Congress, and that it had been for some time settled, and no deviation made from it, except where some officers had been fortunately distinguished in some extraordinary enterprise, (a case which is always admitted as an exception to the general rule) and that it would not be prudent or just to wound a set of men, in a point which they hold so tender, who are so useful to their Country, and have ventured and suffered so much for their fellow Citizens, with no prospect of emolument peculiar to them, and reflecting also that the officers of our own Troops must be reduced to the necessity of resigning, or remaining in the Army as men degraded, and of course despised—a Situation the most intolerable that I can imagine and in which, I am persuaded, as they do not deserve to be placed to their Country do not wish them to be, reflecting I say Sir, on these circumstances, Mr Hill and myself concluded, that it would be for the general good that the promotion should take place according to the rank of our line, and that the State, if well informed would, so far, countermand their Instructions. Being however, concluded by our Instructions, we would not presume to nominate or vote for any but such as we had in command.

We deemed it however, incumbent on us, in order to preserve that character, for candor and integrity which we very highly value, and which we deem necessary even for preserving a due weight to the representation of the State, and particularly in order to prevent on the State the imputations of partial injustice and of involving the Congress in difficulties with respect to the Army. We deemed it incumbent on us to inform the Congress before they proceeded to ballot, how the rank of our line stood, and what occasioned the Instruction. We communicated our Ideas to Mr Penn, and he concurred with us. Accordingly Sir, I laid the matter fairly before Congress, and immediately thereon Col. Hogan was put in nomination, but not by any of us. Mr. Penn endeavoured to support the nomination made under our Instructions, which, I confess, I did not. I told Congress that were I to make a choice from my present Instructions it should be Col. Clark. But I thought all such considerations should give place to public utility, that I was apprehensive the choice of him would induce a very great inconvenience in our present circumstances, and I ventured to give it as my opinion that the state would not desire any thing which might have such effect. I lamented the misfortune of Col. Clark, in having been restrained by superior command at Germantown which prevented his having an opportunity of obtaining distinction, that even this misfortune had given a preference to Col. Hogan who had in that action behaved with distinguished intrepidity, that upon the whole, tho' I must vote for Col. Clark, because I was so instructed, I could not be so uncandid as to say he had the best pretensions. In all the sentiments I delivered, I was happy to find Mr Hill concurred with me; nor indeed do I know that Mr Penn differed. He chiefly insisted on his instructions, and the violence done to Col. Clarks feelings, in refusing him a promotion, which had been so long expected for him.

Mr Hill and I, for whom only I can now speak, not having seen Mr Penn since the adjournment, are persuaded that we have done what our constituents would have done if present, but should we be so unhappy as to have our conduct disapproved, we must lament the dilemma in which we were placed, and which made it impossible for us to gratify ourselves by supporting our Instructions, and at the same time preserve a due regard for the public service, and for the character of upright Integrity, which is very dear to every honest man, and essentially necessary to every magistrate among free people.

I have the honor to be Sir, your very Ob. Servt. Thos Burke

Tr (Nc-Ar: Governors' Letter Books).

¹ See JCC, 13:46. For a discussion of the background of the appointment of these two officers, see these *Letters*, 9:361-62n.1-2.

Committee of Conference to George Washington

Sir,

Philad 10h Jany 1779

I intended to have done myself the Honour of seeing your Excellency yesterday Evning but was so long detain'd in Congress that I could not collect some Information which was necessary to be laid before you.

I expect Mr. Peters has furnished you with such papers as will give you a State of the Post at Fort Pitt & the plan of Operations suggested by General McIntosh.¹ I gave a Verbal direction to him yesterday on this Subject and have repeated it by a Note this Morning.² Indeed I am apt to believe it would not be lost Time if your Excellency should converse with Mr Peters as this Expedition has been conducted under the Eye of the board of war. The Committee will be very glad of your Advice on this Occasion.

I have now rec'd Col. Wadsworth Report on Supplying the Army which is enclosed and shews the Necessity of dispersing the Bread with Economy & limiting our Views.

The enclosed Letter from the Commissr of Prisoners³ was yesterday referred to our Committee that we might have the Advantage of your Excellency's Advice on the Reforms proper for that Department: We accordingly beg leave to recommend it to your Consideration.

Congress have also been pleas'd to refer to Us General Putnam's Letter⁴ which is sent that we may have the Benefit of your Thoughts upon it when we meet. For the same Reason I transmit the paper referred to us concerning the French Engineers.⁵ Your Excellency will perceive the high Tone in which they consider & represent their Services & their Importance. Congress do not see the necessity or even the Reasonableness of altering the mode they adopted, it appearing to them to be sufficiently honourable & respectful. But as they are determin'd not To weaken your Hands in a Branch that may be essentially injur'd by the Retirement of all the Gentlemen skilled in it, they have reserv'd it as a Subject of our Conference.

I have the Honour to be with every Sentiment of Respect, Sir,
Your Excellency's most Obed humble Servant, Jas. Duane

RC (DLC: Washington Papers). Written and signed by James Duane.

¹ Richard Peters' January 10 letter to General Washington enclosing the documents concerned with Gen. Lachlan McIntosh's western expedition is in the Washington Papers, DLC.

² Not found.

³ Col. John Beatty's January 3 letter is in PCC, item 78, 3:233. See *JCC*, 13:43.

⁴ Gen. Israel Putnam's December 31, 1778, letter to Washington was read in Congress on January 9. *JCC*, 13:43.

⁵ For the issue discussed in the January 7 letter of Louis Le Bègue Duportail to

the Board of War referred to here, which is in PCC, item 147, 3:9–12, see John Jay to Conrad Alexandre Gérard, January 20, 1779.

John Jay to George Clinton

Dear Sir

Philadelphia 10 Jany 1779

Had I more Leisure I should send you less blank Paper. Intelligence of Importance we have none. The News Papers will tell you little—I wish they said less. If I am not greatly deceived the Vermont Affair will end well—Send us the Papers. If my Brothers are with you request them to write to me. My comp[lemen]ts to those about you whom you know I esteem particularly Livingston, Bensen & Platt. My best Respects to Mrs. Clinton. I am Dear Sir, very much
Yours &c,
J. Jay.

RC (MHi: Washburn Collection).

John Jay to Conrad Alexandre Gérard

Sir

Philadelphia 10th Jany. 1779.

I shall do myself the honor of communicating your Letter this day to Congress in the morning;¹ and permit me to assure You of my sincere desire as well as Expectation of your speedily receiving an explicit & satisfactory Answer to the Important Requisition contained in it.

I shall consider every Occurrence as unfortunate which may deprive me of the pleasure of your Company, and particularly such as arise from want of Health. May that great Blessing be soon restored to You. The same cause has confined me to the house today. Unless the weather should be very bad in the morning I promise myself the pleasure of paying my Respects to You.

I have the Honor to be, with perfect Respect & Esteem, Your most
Obedt. & most Hble Servt.
J.J.

LB (DNA: PCC, item 14).

¹ In a letter to Congress of January 5, Gérard had protested a publication appearing in the *Pennsylvania Packet* on January 3 and 5 containing passages which “bring into question the dignity and reputation of the king, my master, and that of the United States.” The offending passages contained the assertion that supplies which Silas Deane claimed to have procured from France in 1776 actually “were promised and engaged, and that *as a present*, before he even arrived in France.” As that publication was written under the pseudonym “Common Sense,” almost universally known to be Thomas Paine, secretary to the Committee for Foreign Affairs, Gérard expected Congress to disavow the charge and discipline Paine.

When Congress delayed replying to his protest, Gérard sent Jay a second letter, dated January 10, which was read in Congress on the 11th. See *JCC*, 13:29, 48; *PCC*, item 94, fols. 78–87; and Wharton, *Diplomatic Correspondence*, 3:11–12, 16–17.

Congress' failure to respond promptly to Gérard's letter of the 5th signified anything but indifference, however, for the protest of the French minister provoked a storm that engaged the delegates' attention almost continuously the week following. Although partisans of Arthur Lee welcomed Paine's attack on Silas Deane, they could not prevent indignant delegates from conducting an inquiry into Paine's conduct. Furthermore, before a course of action was finally decided, Paine had submitted his resignation to avoid formal dismissal. In the process he implicated Henry Laurens as a confidante who had informed him of impending disciplinary action, thereby forcing Laurens into an embarrassing admission that he was guilty of a disclosure of Congress' proceedings contrary to the rules of that body. And before Laurens extricated himself from that embarrassment he initiated an attack on Robert Morris, a Deane supporter and partner, which embroiled him in yet other controversies with both Francis Lewis and John Penn, leading on the one hand to Morris' eventual exoneration and on the other to a duel with Penn. See *JCC*, 13:30–38, 46–50, 54–55, 65–66, 79–86, 158–59, 163–76; Francis Lightfoot Lee to Richard Henry Lee, January 5; Henry Laurens' Memorandum, January 7; Gouverneur Morris' Notes of a Speech, January 7; Robert Morris to the Public, January 7; Henry Laurens' Notes of Proceedings, January 9; Henry Laurens to Robert Morris, January 10; and Robert Morris to Laurens, January 11, 1779.

For Congress' response to Gérard's letters, see Jay to Gérard, January 13, 1779. For Gérard's own explanation of this entire episode, see his letters to the comte de Vergennes of January 10 and 17, 1779, Meng, *Gérard Despatches*, pp. 467–73, 480–81.

France's secret aid to the United States has been examined in great detail in two unpublished manuscripts: Robert R. Crout, "The Diplomacy of Trade: The Influence of Commercial Considerations on French Involvement in the Anglo-American War of Independence, 1775–1778" (Ph.D. diss., University of Georgia, 1977); and Elizabeth S. Kite, "France, England, and America, 1774–1778; 'Stepping Stones' Leading to the Franco-American Alliance," Elizabeth S. Kite Papers, DLC. Both reveal the French ministry's involvement in the procurement of military goods for the Americans, but achieve a perspective above the narrow considerations advanced by the partisans of Deane and Lee. See also above, pp. 286–87n.3.

John Jay to the States

Sir

Philadelphia 10th Jan'y 1779

Your Excellency will receive herewith enclosed Copies of two Acts of Congress, on the Subject of Finance—One of the 2d, the other of the 5th Inst.¹

The Importance of the Objects which these Acts are designed to obtain, loudly demands, and doubtless will receive the Support & Countenance of every virtuous Citizen.

John Jay, Presidt. of Congress

P.S. I also enclose Copy of an Act of 1st Inst.²

RC (NN: Emmet Collection). This text is that of the letter sent to Gov. George Clinton of New York. The second paragraph appears solely in this text; Jay's presidential letterbook contains only the following entry under the date January 10. "A

Short Letter to each of the first Executive Officers in the several States from New Hampshire to Georgia inclusive—covering Copies of three Acts of Congress of the 1, 2, & 5th Inst. on the Subject of Finance.” PCC, item 14, 1:10.

¹ Congress’ fiscal resolves of January 2 set the states’ quotas at \$15,000,000 for 1779 and at \$6,000,000 annually for 18 years thereafter, and directed that the heavily counterfeited Continental emissions of May 20, 1777, and April 11, 1778, be retired from circulation. The resolves of January 5 set the individual state quotas for 1779, recommended that taxes be levied in order to meet these quotas, and specified that states exceeding their annual quotas would have such excess payments placed to their credit on interest. JCC, 13:20–23, 28–29. See also Jay to Certain States, January 22, 1779.

² For Congress’ resolve on instructing the states to adopt measures for detecting counterfeiting, see JCC, 13:11.

Henry Laurens to Robert Morris

Sir.

[January 10? 1779] ¹

An unnecessary allusion in your Address to the Public Saturday the 9th Inst. has dragged me to the Press, an ill chosen tribunal for the purpose of Liquidating old Accounts.

You say—“Early in the Month of February 1778, you were informed that some matters to your prejudice had been *insinuated* by a Member in Congress respecting these Books,” referring to the Books of the Secret Committee.

Every Member of Congress understands what is meant by *your* insinuation, they know the particular Member whom you mean to mark, altho there were many others who expressed the same sentiments, every enquirer out of Doors will soon be informed who is the person—hence it is become necessary for me to ward off & to remove prejudices against myself. In the instance you allude to I insinuated nothing. I asserted certain facts respecting the Books which cannot be denied, & one other fact which if proved, must affect your reputation. Upon what grounds did I assert the latter? not vague report, but upon the testimony of a Member of Congress,² one of your Coadjutors in the Commercial Committee, who was present in Congress then sitting in York Town & to whom I appealed for confirmation, He was silent but did not contradict. I was not actuated by a desire to destroy your Character: quite the contrary, the information which I gave was ushered by sentiments like the following & as well as I can remember in almost the same words—“if the account which I have received be true, the Public ought to be informed, if it be groundless, Justice forbids that Mr. Morris should be kept in ignorance.” The Gentleman from whom I had received the information & to whom at the same time I declared I would introduce it into Congress upon the first proper occasion, called upon me in the Evening after the Adjournment of Congress & said “he was very sorry I had men-

tioned that affair"—why so Sir? You know I told you I would not keep it secret; because replied the Gentleman I had determined to take an opportunity of speaking to Mr. Morris myself—be the affair well or ill grounded, I have not acted unfairly.

A few days after this occurrence, a common friend of yours and mine³ who had recently returned from Manheim suggested to me that you had been extremely misinformed respecting what had passed in Congress on the subject abovementioned & that you were Hellish Mad. He expressed himself altogether in terms of benevolence, his attempts aimed at one point, to conciliate—he earnestly requested me to write & explain the matter to you. I resisted his kind entreaties because in a compliance there would have been a manifest impropriety. If Mr. Morris has been taught to believe I have injured him, he will undoubtedly call on me, it would be beginning at the wrong end were I to offer a justification before I am accused & I am persuaded Mr. Morris if he is innocent will not silently bear the charge which has been brought against him—why you have not made an inquiry into that charge is not for me to answer.

Before I came to Congress I had heard complaints of the great expenditures of Money by the secret Committee in which you had been always viewed as the ostensible Actor & of the unsettled state of their accounts. Similar Complaints were repeated in my Ears immediately upon my appearance in Congress in July 1777, & although, "*Audiam alteram partem*,"⁴ is a never failing maxim with me, jealousies were unavoidably excited, the information given by the Member at York Town had no tendency to extinguish or lessen them—had you called upon or written to me I would have given you the fullest satisfaction in my power—to do justice to an injured Man without respect to his rank or fortune is one of the highest pleasures I experience in life.

Neither Common Sense⁵ nor your self Sir, have accurately represented the Case respecting your assumption & surrender of the Books, I will therefore supply the defect of both relations, by the following brief & true state.

You proposed to Congress as you say in November 1777 to take the Books to Manheim & to attempt in your recess an adjustment of the Accounts of the Secret Committee. I think you said you hoped to accomplish the business in about two Months—in the Month of February following Congress discovered much dissatisfaction at your long detention of those Books & upon that occasion I said, "from my Ideas of the Secret Committee's accounts I would engage to post up the whole in nine days, admitting Entries had been regularly made in the Waste Book—that if the necessary Entries had not been made an imputation would fall upon some body or other for the neglect. The Books however remaind in your hands, not I assure you Sir from any

special desire of Congress, they were chagrined and came to no decision on your Letter of the 8th Febr'y. the Commercial Committee were desired to write such an answer as they should judge proper.

In September 1778—you informed Congress then sitting in Philadelphia, "that you had done all you could in the Books of the Secret Committee but that they were in such confusion you could make nothing of them, that therefore you wished to be rid of them & would send them to the Commercial Committee or wherever Congress should be pleased to direct, that you did not know you had any more to do with them than any body else." Those Books were accordingly sent by you as I have understood to the Commercial Committee & from thence the Committee sent them to my House early in December last.⁶ A few days after they had been in my possession a Young Gentleman called upon me in your Name requesting the Books should be returned to you because you were sure no body could settle them but your self or by him with your assistance. You will not think it extraordinary that I was surprised at the tenor of this Message. I replied to the Gentleman, the Books Sir had been very long in Mr. Morris's hands, he assured Congress some time ago that he could make nothing of them—they are now in mine, I am determined to make an essay on them, besides it would be extremely improper to put Public Books into the hands of any Gentleman who is not a Member of Congress. My Compliments to Mr. Morris, if I find it necessary to ask his advice or assistance I shall take the Liberty of applying to him. This I say Sir is a brief & true state of facts relative to the Books of the Secret Committee from November 1777 to December 1778.

You have, in my opinion, from many circumstances made your self responsible for the transactions in general of the Secret Committee, as well as for all deficiencies which may appear in the Accounts of your late Brother Mr. Thomas Morris from a certain period.

If I am not unexpectedly called away from Congress I trust I shall with the consent of the present Committees be able to shew what the Books do really contain and in what manner the Public Money has been expended; far be it from me Sir, in the present stage to assert or insinuate that you have in any respect acted dishonestly. I hope quite the contrary will appear—but viewing you as an accomptant through whose hands all the business of the Secret Committee had passed & in whose single name much of that business had been negotiated I must think you a little faulty for keeping the Books upwards of ten Months & then returning them in their present disorderly state—especially as they had been a long time in your custody antecedent to November 1777.

You plead in excuse many other avocations, but will this considera-

tion excuse you before the Public—by no means. Why did you engage in so much more business than you were competent to? If private affairs would not admit of a close attention to your Public duties for the due execution of which in the particular case before us Congress had altogether depended upon you you should have relinquished in time & delivered up the Books in good order.

I speak with equal freedom & candor but I do not mean to draw too hasty conclusions to your detriment. If after a full examination of the Books there shall appear no fault on your part I shall be among the foremost to “do justice to your Character” & to remove every groundless suspicion from the minds of others by declaring in public & in private that you have not merited censure. I shall be happier if I am enabled to add that you deserve the thanks of your fellow Citizens.

I am Sir your obedient humble Servant,

The Member alluded to.

FC (SchI: Laurens Papers, no. 20). In the hand of Henry Laurens. Endorsed by Moses Young: “An Address to the Honorable Robert Morris Esqr. intended for publication.” Although he prepared this letter for publication, Laurens first submitted it to Morris for comment and apparently decided not to have it published after reading Morris’ response, for which see Morris to Laurens, January 11, 1779.

¹ Laurens drafted this letter in response to Morris’ January 7 letter “to the Public,” which appeared in the January 9 issue of the *Pennsylvania Packet*. As Morris’ January 11 reply acknowledges Laurens’ “Communication of this Morning,” it seems probable that it was actually written on the 10th.

² Francis Lewis. See Henry Laurens’ Statement, January 11; and Francis Lewis to Congress, January 14, 1779.

³ Doubtless John Penn. See these *Letters*, 9:22.

⁴ “I will hear the other party.”

⁵ Thomas Paine.

⁶ For the congressional resolves of September 4 and December 14, 1778, which may have been adopted in consequence of the developments described here by Laurens, see *JCC*, 12:878–79, 1216–17.

Committee of Conference to George Washington

Sir

Philad. 11h Jany 1779

The enclosed papers have this day been referred to the Committee of Conference with your Excellency: Not with any View to the immediate Contents of those papers: but to introduce a general Enquiry whether Humanity & policy demand from Congress a further proposition for the Exchange of Prisoners? Upon this great Point we wish in a free Conference to consider the State of the Prisoners on both sides & have to have the Opinion of the Commander in Chief.

I am, with the greatest Respect, Sir, your Excellency's most Obedient, humble Servant,
 Jas. Duane

RC (DLC: Washington Papers). Written and signed by James Duane.

John Fell's Diary

[January 11, 1779]¹

11 Monday, Commercial Committee 9 oClock. Congress. Debates concerning Mr Payne, and Mr Laurens motion about Mr Robt Morriss conduct in Shipping Tobacco. lasted till near 6 oClock.

MS (DLC).

¹ Fell's preceding entry reads simply: "10th Sunday. Coll. Scudder went home. Dined with Mr J Searle."

Henry Laurens' Statement

11 January 1779.¹

Some time in the Course of last Winter while Congress was sitting at York Town, Mr. Laurens being in conversation in the Congress Room with the Honble. Francis Lewis Esquire on the subject of the secret Committee's Books & accounts & the public Commercial affairs in general, Mr. Lewis intimated that there had in several Instances, been sad doings, some of which he mentioned generally, one Instance Mr Lewis particularized nearly in the following terms.

I'll tell you one extraordinary affair, there was a large Ship Loaden with Tobacco (I think he said about 470 Hogsheads) the Bills of Loading for that Cargo were filled up Consign'd to the order of either Willing & Morris or Willing Morris & Co I cannot be certain which. Mr. Morris was asked how the property of the Cargo would appear, he replied, that would appear at a proper time, or words to that effect. The Vessel was taken by the Enemy as she was going out—after which it appeared that there was only I think eleven Hogshds but in a subsequent conversation Mr Laurens said, (if I remember right) 23 or 27 Hogsheads on private account & all the rest on public. Mr. Laurens replied, Good God Sir is it possible? I am glad you have not enjoined me to secrecy, if you had I believe I should have mentioned this circumstance for it ought not to be kept Secret. Justice to the Public as well as to Mr Morris requires it should not—or words of the same meaning & import.

Mr Lewis & Mr Laurens continued in conversation on the same topic in which Mr Lewis heightned Mr Laurens' suspicions by fre-

quent repetitions that the Commercial affairs had been sadly conducted.

Some days after the conversation abovementioned, the Books of the Secret Committee being a subject of debate in Congress, Mr Laurens (being then President), begged leave to be heard—he expressed his astonishment at the long detention of those Books, which were then in the hands of the Honorable Robt Morris Esquire at Manheim & were wanted or said to be wanted by the Commercial Committee, he said that according to his Ideas of the nature of those Books admitting the Entries had been properly made in the Waste Book he would undertake to Post up the whole in nine days or would forfeit two of his fingers, he added that he wished for the adjustment of the Books & their return the more earnestly because of a circumstance which had come to his knowledge & then briefly related, what he had heard from Mr Lewis, as abovementioned. Mr Lewis was then standing in a Window at the left of & nearly touching the President's Chair—Mr. Laurens turning himself to Mr Lewis added pointing with his left hand, & I have now in my Eye the honorable Gentleman from whom I received the information.

Mr. Lewis, after the adjournment of Congress, called on Mr. Laurens & said I am very sorry you mention'd that affair in Congress—why so Sir? said Mr Laurens, you know I told you I would mention it at the first proper opportunity. Justice to all parties required that I should do so. Mr Lewis answer'd, because I had intended to mention it to Mr Morris himself the first proper opportunity.

The above writing contains substantially the truth of every article & matter therein referred to. I do not presume to aver the several conversations are related verbatim.²

MS (DNA: PCC, item 19). Written by Henry Laurens and endorsed by Charles Thomson: "The substance of what Mr Laurens related to Congress on Saturday Jan 9. 1779. reduced to writing by him and laid on the table according to Order Jany 11. 1779."

¹ For the circumstances which led Laurens to submit this statement to Congress, see Laurens' Notes on His Remarks in Congress, January 9, 1779.

² For Francis Lewis' response to this statement, see Lewis to Congress, January 14, 1779.

Robert Morris to Henry Laurens

Sir

Philada. Jany. 11th, 1779.

I am to acknowledge the Honour of Your Communication of this Morning.¹ I shall say nothing as to the Propriety of Vindicating yourself in the News paper, nor pretend to determine whether there is or is not a better Method.

Your own feelings must prompt and your own judgement direct you. For myself I am indifferent what attacks may be made on me. I feel a consciousness of innocence which puts me above every Effort to cast a stain on what, I thank God, hath hitherto been an unblemished reputation. Since you have enclosed that paper to me I am under the necessity of pointing out some of those instances in which from inadvertancy you have mistated Facts lest a silent Acquiescence shou'd be misconstrued into admission.

You will observe that I have not chosen the Press as a Tribunal for the liquidation of Accounts but being charged Publicly by Name, I was under a Necessity of defending myself in my own Name publicly. "The one other Fact, you allude to—which if proved must affect my reputation" or rather one other allegation, I never heard untill last Saturday Evening when a Gentleman informed me what passed in Congress on the Subject. I have here to add that no circumstances could have given me greater pleasure than to learn that matters which had so long been the groundwork of private Conversation against me, were now to be publicly investigated and I will add, Publicly refuted.

I am little solicitous who gave you the information, but am to thank you for the Public communication, and confess my astonishment that the similar declaration at York Town, if such was made, was not followed by an immediate investigation for I agree with you that if it be true the Public ought to be informed, and I go farther, the offender ought to be punished. Why I have not made an enquiry into that charge is already answered for I could not enquire after things I had not heard and never shou'd expect to be charged with.

The reason why I did not call on you was that from my information, you had only drawn wrong conclusions from mistated Facts, and thence taken an opportunity to urge insinuations to my disadvantage, to which a justification of myself before Members of Congress was unnecessary, and their cordial and unabated Friendship to me convinced me I had done what was right on that occasion.

You are mistaken if you suppose I said that I hoped to accomplish the Settlement of the Books in question in about two Months. I did not say so.

I agree that you or I or any person that understands Book-Keeping might soon post up the Books had the Entries been regularly made in the waste Book. They were not, but minutes of the Committee were regularly Kept, from which and the letters and Accounts in their possession, those Entries can be made. This is the State of that matter & this I Stated to Congress while you was in the Chair and Moved a resolution that the Members of that Committee should be directed to finish the Settlement of those Accounts,² and when the Honourable

R. H. Lee Esqr. declined this task then I asserted that I had no more business to settle the Books than (not any body else, but []) any Member of that Committee. If there was no decision in Congress on my letter of the 8th Feby., Mr. Lewis & Mr. Ellery must justify themselves for signing and Sending me the answer I have published.³ I cannot suppose they wou'd have done it without proper Authority therefore am inclined to think they can set you right in that respect. You have much misapprehended what passed in Congress in Sept. 1778. I informed Congress that I had Worked at the Books of the Secret Committee untill the Ledger was filled so that there was no room for opening new Accounts and that I had delivered the Books to the Clerk of the Commercial Committee. So far from saying, "that I had done all I could in the Books" (except on acct. of the Ledger) "and that they were in such Confusion I could make nothing of them and therefore wished to be rid of them." I deny the Fact. I never entertained such Sentiments and declared quite the reverse. I said the Accounts were in such forwardness that they might easily be settled by the Members of the Secret Committee & therefore moved they might be appointed for that service, this Sir will be well Remembered by many Members of Congress. What Conversation passed between You & the Young Gentleman who called for the Books I really do not know. I authorized no such conversation on my part as you mentioned. That Young Gentn. when he recovered from Sickness went to the office to work at the Books, not finding 'em there he came to me. I knew nothing of them, but Mr. Brown informed him you had them, as I did not know your intentions, I told him I supposed you wou'd give them to him when you had done with them.

With respect to the reasoning of your Piece I shall at present be Silent, if you are convinced of the justness of it you will abide by it, my own opinions govern me, and as you & I differ I will only tell you at this time, that I beleive your strictest search after deficiencies in the Committees or my Brothers Accounts will not answer your expectations, but if any such appear I will chearfully abide the Consequences shou'd Congress determine me to be answerable. When I have received that acquittal which I am confident of and placed in that light which I know myself to deserve, it will be time enough to speak of private Friendships. I have a better opinion of you than to believe you would prostitute that term by a Connexion with me whom you seem to consider as a dishonest Man.⁴

I am Sir with proper respect, Your most Obedt. & humble Servant,
Robt. Morris

P.S. I return your piece herewith.

¹ See Laurens to Morris, January 10? 1779.

² See *JCC*, 12:878-79.

³ Morris' February 8, 1778, letter has not been found, but see these *Letters*, 9:118-22, 150-51.

⁴ For additional information on the subject of Laurens' charges against Morris for his conduct of Secret Committee business, which became the subject of an extended congressional inquiry pursuant to a resolve of January 19, see Henry Laurens' Notes, January 9; Laurens' Statement, January 11; Francis Lewis to Congress, January 14; Laurens to Congress, January 16, 1779; and *JCC*, 13:158-60, 163-76.

Thomas Burke to James Duane

Sir,

Philada. January 12 1779

I presume the Object of your letter¹ handed to me in Congress today is to obtain a knowledge of the Resources of the State I represent in the Article of Bread. Respecting other States their delegates are more competent, and respecting Virginia in particular a Delegate from her who is one of your Committee² is much better able to inform You. The Country I live in produces great abundance of Indian Corn and Wheat. On the Great River the Crop of the former has been very much injured by Freshes; but enough yet remains for their own consumption, and to fatten a great deal of Pork, but far short of the usual quantity. The Western part of the State including a Tract of near two hundred Miles square, and containing near twenty Thousand fighting men, produces great quantities of excellent Wheat and the last Harvest was very plentiful tho' not quite so much had been sowed as usual. Except the Militia which has been embodied for the Southern Expedition I know of no particular consumption of this commodity. The quality I suppose may be somewhat injured by the Wevil; but I am persuaded there is much of it still to spare. The Mills have been much damaged by Freshes and Teames are become very scarce: These circumstances may make the transportation and manufacturing difficult, but I believe the desire of gain will surmount all. The stock in that Country are always fed on Indian Corn of which there have been very plentiful Crops the last Year.

The Person of the Commissary department has spread among the People, they have been taught to believe that bread is very scarce every where else; and that the Demand for it will be much greater than ever. The Country I am now speaking of is remote from Navigation; but I believe a considerable quantity of Flour might be contracted for at Cross-creek, or Wilmington on Cape-Fear River, which has a good Navigation.

I am sir, Your Obedient Servant,

Thos. Burke

Tr (CtHi: Wadsworth Papers).

¹ Not found. This day Congress appointed a committee consisting of Duane, Samuel Adams, and Meriwether Smith to take into consideration a letter received from Conrad Alexandre Gérard "respecting the purchase of flour for the subsistence of the French squadron," for which see Duane to Jeremiah Wadsworth, January 15, 1779. Duane apparently queried Burke on the subject almost immediately, and, judging from its date, Burke in turn dashed off this response at once. Since this transcript of Burke's letter is located in Commissary General Wadsworth's letterbook, Duane undoubtedly forwarded it to the commissary soon afterwards to assist him in his efforts to procure provisions from the southern states. Wadsworth Papers, CtHi.

² Meriwether Smith.

John Fell's Diary

Jany 12th 1779

Tuesday. Commercial Committee 9 oClock. Congress. Lieut Hale a Prisoner Petion'd to go to New York. Referrd a Committee of 3 to draft a Letter to Admiral Gambier concerning him. Debates on Monsr Gerrard Memorial lasted till near 6 oClock. Letter from General Phillips to General Gates and Genl Washington & Lord Sterling Committee to conferr with Mr Gerrard about Flour to be Shipd. Duane, Smith and Adams.¹

MS (DLC).

¹ For the outcome of the committee's conference with Gérard, see James Duane to Jeremiah Wadsworth, January 15, 1779, note 1.

Whitmell Hill to Richard Caswell

Dr. Sir,

Philadelphia Jany. 12th, 1779.

I make no doubt but your Excellency will think me short in my Duty, for not having before this, addressed you by Letter, since my Arrival at this place, but from your usual good Nature, hope you'll pass it by, as not proceeding from Disrespect, but rather from a wish to have it in my power to communicate something worthy your Attention, and indeed, am still unable to afford any Intelligence extraordinary. There has been a grand Manœuvre in Congress, attempting to fund their several paper Emissions, but am doubtful this project will be very injurious to the Southern States, my wish is, that I may be mistaken; however think, this might be remedied in some degree, should our State emit a Sum of paper Cury. immediately & buy up all the Continental Cury possible, and lodge it in the Loan Office, in which case, they would draw on Interest for all Sums over their proportion, and would have it in their power to procure Contl.

Cury. without any Inconvenience; which in a future day must be redeemed with Gold & Silver or its equivalent. Am sensible how averse our people are to emitting money, but when it is considered that the quantity of circulating medium is not increased by this Emission, and only one Species of Money exchanged for another, and led to beleive under this Consideration they will consent to emit such a Sum as they may judge necessary to exchange for Contl. Cury. This being a matter of real Moment to us, wish the Assembly to prosecute some Scheme that will avert the Danger.

I must not omit informing you that Col. Clarke has not been promoted agreeable to Instructions given the Delegates by the Assembly. This matter expect will occasion some warmth among Colo. Clarkes Connections (whom I much esteem) and perhaps the Assembly may construe it, into a Violation of the Trust reposed in their Delegates—therefore think it necessary to state the matter as it really was. A few Days past Cols. Sumner & Clarke were nominated to be ballotted for Brigd. for our State, yesterday their Election came on, when Mr Burke & myself impressed with a Sense of the Duty we owe to the common Cause, and justly alarmed with the intended Resignations of many of our Officers, concluded that we should not be acting the part of candid & honest Men, not to remind Congress of our Instructions relative to this matter, and at the same time inform them of the Rank of our Line, and leave it with them to determine the Merits of the several Officers was not the question, but Seniority determined Congress in favor of Col. Hogan; on our front we implicitly obeyed our Instructions, by nominating and voting for Col. Clarke, this was all we had it in our power to effect, and we rest assured from this State of the matter, we shall stand acquitted by our Country, as we are sensible they would wish us to retain that degree of Candor and Integrity, which ever distinguishes the worthy Character.

I have the Honor to be with great Esteem, yr. Excellency's most
Obdt. Sert. Whitmell Hill

RC (PHi: Dreer Collection).

William Whipple to John Langdon

My Dear Sir,

Philadelphia 12th Jan 1779

Your favor of the 7th ulto came to hand only a few days ago. You ask me how I like the Election—the persons elected I can have no objection to, nor can I object to the manner of conducting the business, not being acquainted with one circumstance respecting the matter.¹ I therefore can only say if the business was conducted upon true republican principles I am Satisfied. It gives me pleasure to hear

of the destruction of any of the enemy's Ships. By a letter from the Navy Board ² I find you have had a Supply of money Since the date of your last—a farther Sum is now preparing to send to that Board.

Let me know how the resolutions respecting money matters operate. I hope shortly to take an opportunity to give you a long letter—in the mean time, I hope you will accept this short scrawl as token of the real esteem and friendship with which I am,

Yours,

Wm Whipple

Fr (DLC: Force Collection).

¹ The background of Whipple's remark must remain conjectural in the absence of John Langdon's December 7 letter. In discussing the same election, however, Josiah Bartlett complained in a December 24 letter to Whipple that the "disaffected towns of the County of Grafton have not appointed members for our Assembly as we expected" and that there had been "a great number of other changes" in the assembly membership. Nevertheless, Langdon was reelected speaker of the assembly. See Bartlett, *Papers* (Mevers), p. 235; and *N.H. State Papers*, 8:819-21.

² The Eastern Navy Board's December 9, 1778, letter to the Marine Committee is in the Eastern Navy Board Letterbook, NN.

John Fell's Diary

[January 13, 1779]

13th Wednesday. Commercial Committee 9 oClock.¹ Congress. Letter from Coll. Grason with his Resignation reffer'd to the Committee to conferr with Genl Washington. Sundry Letters from the Councill of Massachusetts Bay respecting Flour, and Securing the Harbour of Boston. Circular Letter Read to be sent to the Governors of Each State.²

MS (DLC).

¹ The Committee of Commerce was deliberating a letter from Capt. James Willing, a prisoner at New York, in consequence of which it recommended a cash payment for Willing's subsistence. Congress adopted the proposal the following day. See *JCC*, 13:51-52, 65; and John Jay to John Beatty, January 15, 1779.

² Samuel Holten's diary, MDaAr, contains the following entry for this day. "Wednesday. The honl. Misrs. Duane, Searle, & Root, dined with us, and the honl. Mr. Adams & myself drank tea at Mr Dolleys. I wrote to Colo. Hutchinson, The honl. Council of Massa. Bay, The honl. Mr. Austin & Mrs. Holten (no. 37)." Only Holten's letter to the Massachusetts Council has been found, for which see the following entry.

Samuel Holten to the Massachusetts Council

Sir

Philadelphia Janu'y 13th, 1779

If my letter of the 28th Novr.¹ (in answer to yours of the 5th of the same month directed to the delegates from the Massachusetts Bay)

came safe to hand, I suppose I may expect the honble. Council will transmit or cause to be transmitted to the sum of £800, agreeable to a resolution of the Genl. Court of the 15th of Octobr. last, and if said sum should not have been transmitted before the receipt of this, I would observe; That whereas Congress have ordered the following bills to be taken out of circulation (viz.) the whole emissions of May 20, 1777 & April 11, 1778, that such bills will not answer the purpose to me now the court intended; for as I am informed sd. bills have almost done circulating here at this time, and if I should not have any transmitted, I shall be obliged to take money out of the continental treasury to be charged to the State, for which I shall be Accountable, but it will always be most agreeable to me to receive it in such way as the court directs.

We have nothing new here worthy your Attention, excepting what will be delivered to you in a formal manner, or contained in the public prints.

I have the honor to be with the greatest respect for the honble. board & yourself, Sir, your most obedient servant. S Holten

RC (M-Ar: Revolutionary War Letters). Addressed: "Honl. Jeremiah Powell Esqr. President of the Council of Massachusetts Bay."

¹ Not found.

John Jay to George Clinton

Dear Sir

Philadelphia 13 Jan'y 1779.

Since my arrival here, I have done myself the Pleasure of writing you several Letters which I hope have reached you. None of your Favors have of yet come to my Hands. I hope the Business of the Legislature will not deprive you of so much Leisure as to leave none for the gratification of your Friends.

I again send you some news Papers, and should indulge some Remarks on several Publications which must appear interesting to the Public, had I not particular Reasons for postponing them to a future opportunity. Remember the Papers. My best Respects to Mrs. Clinton. I am Dear Sir your most obt. Serv't John Jay.

Reprinted from Clinton, *Papers* (Hastings), 4:482.

John Jay to Conrad Alexandre Gérard

Sir,

Philadelphia, 13th Jan'y. 1779

It is with real Satisfaction that I execute the Order of Congress for transmitting to You the inclosed Copy of an Act of the 12th Inst. on a

Subject rendered important, by affecting the dignity of Congress, the Honor of their great Ally, and the Interest of both Nations.¹

The explicit disavowal and high disapprobation of Congress, relative to the Publications referred to in this Act, will, I flatter myself, be no less satisfactory to his most Christian Majesty, than pleasing to the people of these States. Nor have I the least doubt but that every Attempt to injure the Reputation of either, or impair their mutual confidence, will meet with the Indignation and Resentment of both.

I have the Honor to be, Sir, with Great Respect & Esteem, Your most Obedt. & most Hble Servant,
John Jay, President.

RC (Archives du ministère des affaires étrangères: Correspondance politique, Etats-Unis, Supplement, vol. 1). In the hand of Henry Brockholst Livingston and signed by Jay.

¹ For Congress' explicit disavowal of Thomas Paine's published assertion that France had secretly supplied the United States before entering into the alliance of February 1778, see *JCC*, 13:54–55. This action was taken in response to protests lodged by Gérard in his letters to Congress of January 5 and 10, for which see Jay to Gérard, January 10, 1779, note.

For the curious denouement to this episode, which led Gérard to offer Paine a retainer of \$1,000 annually to employ his pen in cultivating goodwill in behalf of the Franco-American alliance and in nourishing distrust of the British, see Gérard's January 17 report to the comte de Vergennes in Meng, *Gérard Despatches*, pp. 480–81; and Correspondance politique, Etats-Unis, Supplement, 1:402–403.

John Jay to Patrick Henry

Sir,

Philadelphia 13th Jany 1779

Your Excellency will receive herewith enclosed a Copy of an Act of Congress of the 9th Inst. for raising a Regiment in Virginia to guard the Convention Troops.¹

I have the Honor to be, your Excellencys most Obedt. & Hble Servant,
J.J.

LB (DNA: PCC, item 14).

¹ *JCC*, 13:42.

John Jay to Robert R. Livingston

Dear Robt.

Philadelphia 13th Jany 1779

Not a single Line have you recd. from me since my arrival. This you may say does not look very friendly—I confess it and what is more in my Favor feel it.

Business I know cannot excuse a total Silence, tho it may palliate a partial one. I wont plead it, for I never admitted it—nor do I now

write merely to keep fair with my own Principles. Inclination, more than Consistency, prompts me on this occasion.

I presume your Legislature is by this Time convened. Now is the Season for Exertion. Attend regularly. Confirm those who esteem you and their Country—convert or confound those who would sacrifice either to private Views, and support the Govr. who I believe is a Friend to both. Will any Consideration induce you to visit another Quarter of the Globe? I dont know that you will be called up, but am not sure that you may not. My Conduct will be greatly influenced by your Inclination.¹

I had almost persuaded myself to write a Letter to your Brother Ned,² urging him to come to this College, and offering my Service to prepare the Way for his Reception: but as on Reflection I apprehended it might stimulate him to a Measure in which perhaps his Mama or Brother might not concur, I decline it for the present. I cant forbear however observing to You, that in my opinion his Genius and his Years call for a further Degree of Cultivation that can be obtained at Hurley. I wish to be useful to every Lad of Talents & Cleverness, and I assure You that Desire will always be increased when those Recommendations are proposed by one, so nearly connected with a Gentleman & a Family, who have particular Claims to my Esteem & Respect.

I am Dear Robt Your frd & Servt,

John Jay.

P.S. Dont be too lazy or too busy to tell me how you do.

RC (NHi: Livingston Papers).

¹ In his February 2 response to Jay's query, Livingston made the following observation for Jay's "Conduct."

"You asked me whether any consideration would induce me to visit another quarter of the globe. To this I answer yes but those considerations must be weighty. The character I go in must be respectable, my companion if I have one must be so too, & my appointments must be equal to my station so that I do not go abroad a great man to be a little one all my life after at home. I would not have you infer from this that I have any eager desire to begin my travels but merely to leave to you if anything of *this kind* should be proposed to act as you thought most for the interest of the community & your friend—you know my *fort* & my *faible* & will save my modesty the pain of saying how far I might be useful & my vanity the mortification of hearing in how many more points I am disqualified." Robert R. Livingston Papers, NHi.

² Edward Livingston (1764–1836), youngest brother of Robert R. Livingston.

John Jay to the Continental Paymasters

Sir,

Philadelphia 13th Jany. 1779

I have the pleasure of transmitting to you by Express a Copy of an Act of Congress of the 12th Inst.

As Congress are very desirous by this Act of accommodating their Resolutions for appreciating their Currency to the circumstances & convenience of the Army, I flatter myself no time will be lost in carrying it into Effect.¹

I am, Sir, your most obedt. & Hble Servt.

J. Jay

LB (DNA: PCC, item 14). Addressed: "To Coll. Palfrey, Pay-Master General. The same to Ebenezer Hancock Esqr. & Benjn. Harrison Junr. Paymasters to the Eastn. & Soutn. Departments."

¹ As some Continental troops had recently been paid in the emissions of May 20, 1777, and April 11, 1778, which were now being withdrawn from circulation, the paymasters were "directed to exchange such moneys, to the end that the said officers and soldiers be not deprived of the use of the same." *JCC*, 13:21-22, 52-53.

Committee for Foreign Affairs to the Eastern Navy Board

Gentlemen

Philadelphia 14 Jany 1779

The bearer will deliver you a course of News papers up to this day for Doctor Franklin, with some letters which you are desired to forward by the first Vessels, unless that first should be what carries the Marquis de la Fayette. But I hope he is gone with Letters Similar to what I now send. If you have in your office any packet which reached you from me after his departure, other than news papers, you will be so kind as let what I now send and the former go by different opportunities, giving preference to the first received.¹ I have the pleasure to know myself Gentlemen &c.

Signed James Lovell

FC (DNA: PCC, item 79).

¹ The Eastern Navy Board reported in a February 23, 1779, letter to Lovell that it was awaiting an opportunity to forward several packets to France. Eastern Navy Board Letterbook, NN.

James Duane to Mary Duane

My dearest Polly

Philad. 14th Jany 1779

I now sit down to answer your kind Letter of the 26th of December, & in the first place I express my gratitude to Heaven that you & our dear Children continue in Health. Let me hear these agreeable Tidings frequently & I will go through with the Lot to which I am destined patiently. On my part I miss no opportunity & if you have any share of good fortune you must hear from me very often.

You ask me whether I think of going to Duanesburgh in the Spring: it is my dear a Question which I cannot answer. If there should be

peace & safety in that Quarter it woud be my firm wish: God who rules over all only knows whether this Happiness is so near. In the present Situation of our Affairs I shoud not dare to hazard all that is dear to me in a Country so exposed at least to alarms and apprehensions. I do not doubt but we shall find some place where we can live in Comfort and affluence when I am done with Congress. Till then I cannot call myself free or independent. Upon this we shall have Leisure to consult when the distresses of our Country are at an End & we permitted to act without Restraint. At present our best digested Schemes may be disappointed by the Fortune of War.

We ought to be thankful that we have less Reason than most of our Acquaintance to be uneasy. Our Lands will rise in Value And *(your)* our kind Father can & will assist Us: Besides which I have a profession which with Gods blessing will without any other Aid support us. We have only then to bear the present moment with fortitude, and to do our Duty.

I am oblig'd to the Doctor for his advice: I know it is sated: but I don't love flannel next to my Skin. If I find Occasion however I shall try it—after a pound or two of Bark, I can put up with worse than Flannel.

You give me a good hint about my servant. I knew little of him & woud freely give £100 to be assur'd of His Honesty & yet he can do no one thing well but Shave. That however covers with me a multitude of Defects.

You will not have the pleasure of seeing our Brother & Sister till the Spring. I am sorry for it as I am very sure you will like her exceedingly & that she will study to deserve it: for she is of a benevolent Temper, polite in her manners, & much prepossess'd from your brother's partiality, in your favour. Our Daughter also [. . .] great Satisfaction & Improvement.

Present my dutiful Regards to our parents & affectionate Complements to every branch of the Family. Kiss & bless for me our dear Children: & believe me ever—my dearest Polly, Your obedit & faithful Husband,
Jas. Duane

RC (NHi: Duane Papers).

John Fell's Diary

[January 14, 1779]

14th Thursday. Commercial Committee 9 oClock. Congress. Debates relating to Monsr Girrards Letter.¹ Letters from Genl Schuyler, relating to Indians and restoration to be made to sundry Persons for damage Sustain'd by their forridge &c. Letters from Govr Clinton and

Genl Washington in behalf of James Douel of Little Britain,² for the Loss of his Barn &c. burnt by the Convention Troops, all Referred to a Committee of 3 viz. Fell, Burk & Dyer; Agreed to Emitt 15,000,400 Dollars.³

MS (DLC).

¹ This day's "debates relating to Monsr Girrards Letter" concerned Gérard's letter to Congress of December 7, 1778, protesting "the doctrine of the liberty, which it is pretended the United States have preserved, of treating with [*Britain*] separately from their Ally," not that of January 14 relating to Thomas Paine as Burnett presumed. See *JCC*, 13:61-63; Burnett, *Letters*, 4:33n.2; and Samuel Adams to Elizabeth Adams, December 13, 1778, note 3.

² James McDowell's claim was the subject of George Clinton's December 18, 1778, letter to General Washington, and Washington's January 1, 1779, letter to President Jay, which was read in Congress this day. Clinton, *Papers* (Hastings), 4:401-02; Washington, *Writings* (Fitzpatrick), 13:473; and *JCC*, 13:63. For Congress' response to McDowell's appeal, see John Jay to George Clinton, January 15, 1779.

³ The figure should read "50,000,400 dollars," which was the sum Congress agreed to emit this day. *JCC*, 13:64.

Francis Lewis to Congress

[January 14, 1779]¹

In a Teat à Teat conversation with the Honble Mr Laurens at York Town, introduced by Mr Laurens's observations on the confused state of our commercial transactions, and hinting at some vessels employed in the public Service carrying goods on the private Account of some members of that Committee, which had been communicated to him by his friends from Charles Town.

This led me to relate the following circumstances as a matter, that Struck me at the time of its transaction.

Congress at Baltimore, having occasion to send Dispatches immediately to France, were informed that a Ship laden with Tobacco was then in the harbour ready to sail. The Commercial Committee was requested to ask the Captain if he would take the charge of said packet, and that upon his arrival at a port in France, he would deliver the same into the hands of one of the Commissioners at Paris. To this he objected, saying he could not justify himself to his owners, in leaving the Ship to proceed with the packet to Paris. He was then asked if the ship was not laden on the Continental Account. To which he replied; That she was chartered by Messrs Willing & Morris's clerk, and that the bills of lading which the said Captain signed, were filled up, *Shipped by Willing & Morris*, Concluding therefore that the Cargo was not on Account of the public. The Armed Brigantine Lexington was then ordered to be immediately fitted for the Sea, and Capt. Johnston appointed to carry the Dispatches.

A few days after the ships sailing the Honble Mr Morris in a letter to Congress mention'd a rumour spread at Philadelphia, that the said Ship was taken by the Enemy, but hoped it was not true. If it was, that he had fifty Hhds on board on his own Account.

This is, as nearly as I can recollect from my memory the conversation that passed between the Honorable Mr Laurens and myself relative to the foregoing.² Fra. Lewis.

This was delivered at the Table & read in Congress the 14th January 1779.³

RC (DNA: PCC, item 19). Endorsed by Charles Thomson: "Substance of the Conversation between Mr Laurens and Mr Lewis as reduced to Writing by Mr Lewis & laid on the table according to order Jan'y 15. 1779."

¹ For the circumstances that led Lewis to submit this letter to Congress, see Henry Laurens' Notes, January 9; and Laurens' Statement, January 11, 1779.

² For Henry Laurens' response to this explanation by Lewis, see Laurens to Congress, January 16, 1779.

³ This sentence is in the hand of Henry Laurens. Immediately below this statement Charles Thomson wrote the following note: "The above wrote in Mr. Laurens handwriting. He ought to have dated 15th because though the paper was read on the 14th it was agreed by Congress that no notice should then be taken of it and that it should be read the next day as if then first brought in, & it was accordingly read Jan'y 15, immediately after reading the journal."

James Duane to Jeremiah Wadsworth

Sir,

Philad. 15th Jan'y 1779

I am directed by a Committee on a memorial respecting the Supply of Bread for the Fleet of his most Christ[ian] Majesty to request you to report officially on the following Questions.¹

1. Whether you have receivd any orders (not yet complied with) to supply the said Fleet with Flour or Bread—from whom—& for what Quantity?

2. Whether you are able to comply with such Orders without hazard-ing the Subsistence of our own army?

3. If you have or have not receivd such orders—Whether you have made any promises or Engagements for such Supply & how far?

4. Whether it is, in your Power (without endangering the Subsistence of our own Army) to deliver 10 or 12000 Barriles of Flour in Virginia, Maryland or elsewhere without Loss of Time for the Use of the Squadron of his most Christian Majesty? Or what other Quantity?

5. Whether it will be of prejudice to the purchasing Department to authorize the Agent named by the Minister of France to purchase the Quantity of Flour demanded for their Fleet in Virginia or Maryland?

I am, Sir, Your most Obed. Servt.

Jas. Duane

FC (DNA: PCC, item 29). Written and signed by James Duane.

¹ Duane, Samuel Adams, and Meriwether Smith had been appointed on January 12 to report on the practicability of supplying bread for the French fleet as requested by Conrad Alexandre Gérard. Replying to Duane's questions this same day, Commissary General of Purchases Jeremiah Wadsworth explained that he could not supply additional flour for the French fleet without "running the risk of depriving the American Army of bread." The committee then recommended to Congress "that a candid representation of the facts relative to supplying the French squadron under the Command of Count d'Estaing with flour, be made to Sr. Gérard," a recommendation Congress adopted on January 22. See PCC, item 29, fols. 127-30; and *JCC*, 13:52, 97-98, 103. See also Duane's Minutes of a Conference with Gérard, February 3-4, 1779.

John Fell's Diary

[January 15, 1779]

15th Fryday. Commercial Committee 9 oClock. Congress. Letters from the Governors of Virginia and Maryland, advising of the Scheme agst Augustine being lay'd aside;¹ Report from the Marine Committee to Reverse the Sentance of Capt McNeal.² Memorial of Mr De Francy in behalf of Mr Bowmarcha ³ agreed to send him 3000 Hhds. Tobacco, At 6 P M at the Commercial Committee.

MS (DLC).

¹ See Henry Laurens to Patrick Henry, November 14, 1778, note 2.

² For the court-martial of Capt. Hector McNeill, see Marine Committee to the Eastern Navy Board, July 24, 1778, note 5.

³ That is, Caron de Beaumarchais.

John Jay to John Beatty

Sir

Philadelphia 15th Jany. 1779

In Obedience to the Order of Congress I transmit to you enclosed a Copy of an Act of the 14th Inst. directing you to supply Captain James Willing, (a Prisoner in New York) with One hundred Pounds New York Currency for his Subsistence &ca. &ca.¹ I am, Sir, Your most Obedt. & Hbl. Servt.

J.J.

P.S. Your Letter of the 3rd Inst. has been received & referred to a committee.²

LB (DNA: PCC, item 14).

¹ *JCC*, 13:65.

² Beatty's January 3 letter to Congress, in which he complained of harassment by Continental officers in New Jersey who refused to honor "the Liberty of Flags" he had issued to effect recently negotiated prisoner exchanges, is in PCC, item 78, 3:233-36. *JCC*, 13:43.

John Jay to George Clinton

Sir

Philadelphia 15th Jany 1779.

Yesterday your Letter To His Excellency General Washington covering several Papers relative to the burning a Barn at Little-Britain by the Convention-Troops was communicated to Congress by a Letter from him. These papers were immediately referred to a Committee, & your Excellency may rely on my taking the earliest opportunity of transmitting to you the final Resolutions of Congress on the Subject.¹

I have the Honor to be, with great Respect & Esteem, your Excellency's most Obedient & most Humble Servant. J. Jay

LB (DNA: PCC, item 14).

¹ According to the journals, a January 1 letter from Washington to Congress enclosing a December 18 letter to him from Clinton was read and referred to committee on January 14. See *JCC*, 13:63; and Washington, *Writings* (Fitzpatrick), 13:461, 473. Clinton's letter, which is in Clinton, *Papers* (Hastings), 4:401-2, was written in support of the appeal of "Mr. James McDowell of Little Britain, in this State," for compensation for the burning of his barn by troops of the Convention Army during their recent march to Virginia. Apparently no action was taken on McDowell's plea, however, for in 1786 he again submitted a memorial to Congress for the loss of his barn, but was advised that "his application ought to be made to the State of which he is a citizen." *JCC*, 30:116-17.

John Jay to Jean Théveneau de Francy

Sir,

Philadelphia 15 Jany. 1779

It gives me pleasure to transmit to You a Copy of an Act of Congress of this day, from which You will perceive the determination of Congress to fulfil on their part the Agreement concluded with You on Behalf of Monsieur De Beaumarchais on the 7th April last.¹ For this purpose they have directed a large Remittance in Tobacco to be provided, and that the purchase of it may be made with greater dispatch, and with less Expenditure they think it expedient that the whole Transaction be kept a profound Secret.

I am Sir, Your most Obed & very Hble Servt.

J. Jay.

LB (DNA: PCC, item 14).

¹ Congress was responding belatedly to Francy's letters of November 11 and 28, and December 19, 1778, appealing for long-promised remittances in payment for goods shipped to America in 1776-77 by his employer, Caron de Beaumarchais, under the cloak of the firm Roderique Hortalez & Co. This January 15 resolve ordering shipment of 3,000 hogsheds of tobacco for this purpose was adopted in response to Francy's November 28 recommendation of this course, which had been referred to a committee consisting of Meriwether Smith, William Henry Drayton, and William Ellery. By this measure, Congress hoped to relieve its embarrassment

over its inability to fulfill the longstanding obligation that had been re-acknowledged in May 1778. In addition to endorsing Francy's appeal for an immediate shipment of tobacco to France, the committee also reported the draft of a letter to Beaumarchais that was simultaneously prepared for the signature of President Jay. See *JCC*, 12:1123, 1168, 1240, 13:70-71; and *PCC*, item 14, 1:20-21, item 36, 4:115, and item 78, 9:209-12, 217-20. The committee's draft letter to Beaumarchais, in the hand of William Henry Drayton, is in RG76, Records Pertaining to the Claims of Pierre Beaumarchais, DNA, rather than in the *PCC*. As Drayton's draft letter to Beaumarchais is dated "December 1778," it seems clear that the committee had decided to meet Francy's request well before January 15. For Francy's previous efforts to obtain remittances for Beaumarchais, see Henry Laurens to Francy, July 26; Committee of Commerce to Francy, August 3, 1778; and these *Letters*, 8:439, 9:222-23, 279-84, 678-79. For Francy's reports to Beaumarchais on his efforts at this time to obtain settlement of the latter's accounts, see Beaumarchais, *Correspondance* (Morton and Spinelli), 4:251-66, 272-76, 297-303.

Congress' response to Francy had been complicated and doubtless delayed because of the intervention of the French minister, Conrad Alexandre Gérard, who had suggested, as early as December 2 or 3, that Beaumarchais' accounts could be settled, at least in part, simply by allowing the French court to apply to his credit a sum equal to the amount owed to the United States by the French navy for provisions supplied d'Estaing's fleet at Boston. For the delegates' reaction to this offer by Gérard, see Charles Thomson's and Henry Laurens' Notes on Proceedings in Congress, December 4, 1778.

John Jay to Thomas Johnson

Sir, Philadelphia 15th Jany. 1779.

Your Excellency will receive herewith enclosed, a Copy of an Act of Congress, of this day, by which they have resolved for the reasons therein enumerated to lay aside the design of employing the Maryland Gallies on a certain Expedition.¹

I have the honor to be, with great Respect & Esteem, Your Excellency's most Obedt. & Hble Servt, John Jay. President

RC (MdAA: Red Books). In the hand of Henry Brockholst Livingston and signed by Jay.

¹ *JCC*, 13:69. For the background of this resolution, see Henry Laurens to Patrick Henry, November 14, note 2; and Maryland Delegates to Johnson, December 23, 1778, note 1.

John Jay to the Massachusetts Council

Gentlemen, Philadelphia 15th Jany. 1779

On the 13th Inst. I had the pleasure of receiving your Letters of the 15th & 18th December last. They were both immediately communicated to Congress, & by their Order referred to Committees.¹

I have the Honor to be, Gentlemen, Your most Obedt. & Hble Servant. J. Jay.

LB (DNA: PCC, item 14).

¹ *JCC*, 13:55-56. The council's December 15 letter "respecting the fortifying the port of Boston" is not in PCC. For its December 18 letter appealing for relief from the hardships caused by the embargo on flour, see PCC, item 65, 1:360-63. For Congress' February 26 resolve permitting "the executive powers of Maryland, Virginia, North Carolina and South Carolina, at their discretion," to authorize the export of grain or flour to Massachusetts and Rhode Island, see *JCC*, 13:130, 152, 257.

John Jay to Philip Schuyler

Dear General,

Philadelphia 15th Jany. 1779

As the Secretary has neglected to furnish me (as usual) with the dates of your late Letters to Congress, and your Express sets out early in the Morning I must describe them by the Subject-Matter.

The one on the Subject of your Resignation still remains under consideration.¹ The one respecting the Request of the Oneidas is referred to a Committee appointed to confer with General Washington who are directed, without the further Intervention of Congress to determine & give order relative to it.² The Third, which, if I mistake not, states the Embarrassments you have been subjected to by Genl. Gates' having forbid the Quarter Master to pay certain Notes you gave while in command, is referred to a special Committee who are ordered to report without delay.³ As the Act of Congress, of which the enclosed is a copy, was intended to accommodate the Resolutions on Finances to the convenience of the Army, I take the Opportunity of transmitting it to You.⁴ It may be proper also to inform You that Congress have accepted the Resignations of Coll. Henry Beekman Livingston, & Lieutenant Houghkirk.⁵ I have written You two private Letters since my arrival, which, by your silence respecting them, I fear have miscarried ⁶—Expect another by the next Express. I have the Honor to be Sir, with great Respect & Esteem, your most obed. & most Hbl. Svnt.

LB (DNA: PCC, item 14).

¹ General Schuyler's December 27 letter asking Congress to accept his resignation from the army is in PCC, item 153, 3:396-400. The delegates had still not taken action on this request, however, when Schuyler's March 5 letter containing a renewal of it was received on March 18, at which time they declared "that the situation of the army renders it inconvenient to accept his resignation, and therefore Congress cannot comply with his request." But when Schuyler responded to this rejection with still another renewal of his request, Congress resolved on April 19 to accept it. See *JCC*, 13:27-28, 332-34, 473; PCC, 153, 3:426-32; and Jay's two letters to Schuyler of March 21, 1779.

Schuyler's decision at this time to resign his Continental commission was also followed by a decision to resign his seat in Congress. A photostat of his January 12, 1779, letter to "Walter Livingston Esqr., Speaker of the Honorable House of Repre-

sentatives," requesting the New York legislature to appoint another person to the state's delegation to Congress "in my Stead," is in the Schuyler Personal Miscellaneous Collection, NN.

² Apparently a reference to a January 5 letter from Schuyler which has not been found. See *JCC*, 13:63. See also Henry Laurens to Schuyler, December 2, 1778, note; and *JCC*, 13:332, 363, 411.

³ According to the journals, Congress referred a January 3 letter from Schuyler to a committee consisting of Thomas Burke, Eliphalet Dyer, and John Fell, but the letter has not been found and Congress had taken no action on it before Schuyler's resignation was accepted in April. See *JCC*, 13:63, 124, 129.

⁴ Probably Congress' January 12 instructions to paymasters on exchanging Continental bills being retired from circulation, for which see Jay to the Continental Paymasters, January 13, 1779.

⁵ *JCC*, 13:56, 58. Jay's letters of this date to Col. Henry Beekman Livingston and Lt. John Hooghkirk acknowledging Congress' acceptance of their resignations are in PCC, item 14, fols. 14-15.

⁶ Only Jay's December 8, 1778, letter to Schuyler has been found.

John Jay to William Shippen, Jr.

Sir, Philadelphia 15th Jany. 1779

On the 12th Inst I had the pleasure of receiving your favor of the 10th & communicating it to Congress. They have referred it to the Medical Committee.¹

I am, Sir, Your most Obedt. & Hble Servant, J. Jay

LB (DNA: PCC, item 14).

¹ Shippen's letter is not in PCC, and there is no mention of it in the journals after it was referred to the Medical Committee. *JCC*, 13:51.

John Jay to Stephen Ward

Sir Philadelphia 15th Jany. 1779

Immediately on receiving your Letter of the 6th Decr. last, I communicated it to Congress.¹ A Committee was thereupon appointed to enquire into the Facts mentioned in it, and Mr. Drayton, (One of that Committee) a few days after wrote You a Letter on the Subject, which I sent by Express to Poughkeepsie. I hope you have received it and that You will endeavour to obtain & transmit the necessary Proofs he requires without delay.²

I am Sir, your most Obedt. & Hble Servt. J. Jay

LB (DNA: PCC, item 14).

¹ *JCC*, 13:10. Ward's December 6 letter to Jay is in PCC, item 78, 23:579-83. In it he explained that his house in Westchester County, N.Y., had been destroyed by the order of Gen. William Tryon just two days after the expiration of the grace period specified in the British commissioners' October 3 "Manifesto" warning of more destructive measures if Americans continued to ignore the peace proposals

that had been offered to them. This threat had led Congress in turn to issue a counter threat in the form of its October 30 manifesto declaring "that if our enemies presume to execute their threats, or persist in their present career of barbarity, we will take such exemplary vengeance, as shall deter others from a like conduct." *JCC*, 12:1082. Resting his appeal on this declaration, Ward therefore suggested that retaliation for his losses might ultimately "operate in such a way as to check our unconscionable Enemy in their insatiable thirst for human Carnage and Devastation."

² William Henry Drayton's letter to Ward has not been found, and there is no record in the journals or PCC of any answer to it.

William Carmichael to Charles Carroll of Carrollton

My dear Sir: Philadelphia, January 16, 1779

I am much beholden to you for your letter of the 2nd inst. Let me assure you that all will be done—as you wish. In this august Assembly we dawdle and dally—nothing ever gets done as one could wish. I give you an exemple. There was a spirited discussion on how to reimburse Mo Beaumarchais—petition on his behalf by M. Francy—decided to render payment in tobacco.¹ It was late when Congress was ready to vote. As usual we looked to the President to give his opinion before balloting. Mr. Jay is more judicious than his predecessor in the chair, and less prolix,² but I almost despaired of our getting thro' because Mr. Penn, Caro[lina], would not desist. It seems that Maryland tobacco is to be purchased which would be a pretty business.

I hope to render a [. . .] report soon. I am, dear Sir, your most humble servt.

Tr (Herbert E. Klingelhofer, Bethesda, Md., 1977). Endorsed: "Copied from the ALS in the possession of Forest G. Sweet, 1951."

¹ See John Jay to Jean Thévèneau de Francy, January 15, 1779.

² The institution of the presidency has been analyzed in Herbert E. Klingelhofer, "The Presidents of the United States in Congress Assembled," *Manuscripts* 28 (1976): 2–15, 83–96, 171–87, 255–71. For the conduct of Presidents Laurens and Jay in the chair, see especially pp. 5–6, 91.

John Fell's Diary

[January 16, 1779]

16th Saturday. Congress. Resolved that the Committee for foreign affairs, order Mr Thos Payne their Secretary to deliver on Oath, all the Papers &c. in his Office.

Henry Laurens to Congress

Mr. President

Saturday 16th January 1779

I have perused the honorable Mr. Lewis' Paper delivered and read at the Table on the 14th Instant ¹ in consequence of a request made to him the 11th by Congress that he would inform the House of all he knew of a certain Tobacco Ship and other matters alluded to in a Paper, which in compliance with a Similar request to me on the 9th I delivered in on the 11th.²

This honorable House I trust will not have forgotten how repeatedly before I committed, what I had been requested to commit, to writing, I entreated Mr. Lewis to retire with me into the Library-Room in order to assist my memory if I had in any respect mis-stated verbally our conversations at York Town—and how immovable he remained in his Chair.

I will not contend with the honorable Gentleman on the question which of us introduced the conversation? It appears to be totally immaterial, but I do aver he is wrong in his assertion that I "hinted" at "communications made to me by my friends in Charlestown." I do not recollect that ever I received, and I am morally certain I never did receive any communication from Persons in Charlestown "of vessels employed in the public service" carrying goods on the private account of some Members of the Secret or Commercial Committee. I not only "hinted," but fully expressed that I had heard complaints of such transactions from Members of Congress. I asked Mr. Lewis how the freight of such private property could be ascertained? if it was consistent with the Public interest to equip and arm Ships for the exportation or importation of private property? what freight would compensate? and added, "these appear to me to be very irregular proceedings"; in which Mr. Lewis perfectly acquiesced.

I remember nothing of the matter respecting the Committee's application to the Captain of the Ship to take charge of a Packet for the Commissioners at Paris, but I will not set up the deficiency of my memory in opposition to Mr. Lewis' assertion. I will therefore admit this preface to have introduced his part of the conversation.

Mr. Lewis acknowledges the Captain replied to the Committee at Baltimore that "his Ship was chartered by Messrs. Willing and Morris' Clerk, and that the Bills of Loading were filled up shipped by Willing and Morris," and he does not deny that he informed me the consignment was to "the Order of Willing and Morris, or Willing, Morris and Co." nor can this be denied, the Bills of Loading substantially establish the fact and more, inasmuch as the "Account and risque" were to be "as per Advice," which in Commercial language is synonymous with the order of the Shipper.

Mr. Lewis after deliberating from Saturday the 9th to Thursday the 14th Instant has not denied the several allegations contained in my Paper, nor can he without first eradicating truth and honor from his Breast, which I am persuaded he is incapable of, deny one of them in substance. It has nevertheless been said, not by Mr. Lewis, that it was a little unfortunate, "that Gentlemen who were then in Congress did not remember the circumstance clearly," some have acknowledged that they remembered "something about it" and that there were some insinuations made by me.

Gentlemen who were last Winter in Congress, the whole number scarcely ever amounting to seventeen, some of whom are now absent, will call to mind that Congress during the last Winter, were constantly engaged in businesses of the highest moment, and which required immediate dispatch, that they were in many instances obliged to execute their own Resolves, and will admit a possibility therefore, that every Member, Mr. Lewis and myself excepted, may have forgotten the affair of the Tobacco Ship as related by me, more especially as it was not quite a new subject when I gave the relation—I had heard somewhat of it antecedently to Mr. Lewis' Account, but only as a matter of suspicion and surmise, and had treated it accordingly. I had no avidity for blasting the reputation of any Gentleman upon a foundation of mere whisper—besides every Gentleman's observation will convince him that 'tis not uncommon for Members of a Public Assembly in which there is much debate on variety of subjects to lose totally the remembrance of what had been said at a distance of near twelve Months by an individual and not matured into a vote and record.

I beg leave to support this remark by two very recent instances. A Gentleman on the South side of the House some five or six days ago in the course of debate strongly alluded to a certain brilliant Present, another Gentleman situated on the opposite point warmly animadverted on the first Gentleman's wit. Who was in the right or who in the wrong, is not my part to determine—but within an hour of the adjournment I asked two Members who are generally very attentive to every discussion on this floor, their sentiments on that part of the Morning's conversation—each declared "he did not remember *a word about it*," altho' the subject had been box'd from North to South.

On the 11th Instant a motion was made by an honorable Gentleman that Mr. Lewis should inform the House of every thing he knew respecting the Tobacco Ship *upon Oath*—this very Morning I applied to a group of five Members for the name of the Honorable mover; two or three of these Gentlemen did not even recollect the circumstance, none of them could remember who was the Man till I had assisted them—but to return to the business.

I have read the Charter Party for the ship in question now named by the extracts which Mr. Lewis has produced—the “*Farmer, Capt. Dashiell.*”

The contracting parties are Archibald Buchanan of Baltimore, and Willing, Morris and Company by John Brown their Agent—neither the United States nor Congress nor any power for, acting under, or for and on behalf of Congress is or are expressed or implied in any part of the Charter—and it is remarkable that in the six first instances of eight, where the names of Willing, Morris and Company are inserted in this Charter, the words—*and Company* are carefully interlined, as if intended to include and comprehend the Person or Persons, associates and Copartners of Willing and Morris as parties in the Covenant mutually interested with Willing and Morris in all the risques and benefits of intended voyage.

I have perused the Bills of loading for the Ships Cargo dated Baltimore 9th January 1777—these declare the Cargo to be “*upon the proper Account and risque as per Advice*” consigned to Thomas Morris.

Upon one of the Bills a special contract under hand and Seal is indorsed.

For the delivery of the Cargo at such Port as Thomas Morris of Pliarne, Penet and Company shall Order.

For the payment of additional freight and demurrage in certain stringent cases.

For payment of the valuation of the ship in case of loss by Willing and Morris.

But neither in that indorsed Contract nor on the face of the Bills does it appear that the United States were in any respect interested or concerned in the voyage.

I have also perused the instrument of valuation of the Ship dated Baltimore sixth of January 1777 signed John Smith, Jonathan Hudson and Daniel Bowley who declare by the said instrument that they were called upon by Archibald Buchanan and *John Cornthwaite, Copartner of John Brown in behalf of Willing, Morris and Company* to value the Ship &c; no intimation in this instrument admits even a supposition that the United States were to be answerable in case the Ship should be lost.

It is true that on two of the Bills of Loading there appears the following indorsements.

Philada. Jany. 17, 1777. The within Iron is on Acct. of the United States of America as per Letter s[igned] Robt. Morris.

Philada. Jany 17, 1777. The within Tobacco is on Acct of the United States of America as per Letter s[igned] Robt. Morris.

I shall make no remark on these *expost facto* indorsements, nor

confront them by the Charter Party, the Bills of Loading, the special *indorsed* Contract nor the instrument of valuation, but I honestly confess that those jealousies which Mr. Lewis's information had raised in my mind at York Town are not removed.

I have caused diligent search to be made in the Commercial Committee's Office for copy of the Orders to John Brown or Brown and Cornthwaite for chartering and loading the Farmer, and for their letters in answer—for orders to Mr. Buchanan and his answer—for Letters to Thomas Morris & to Pliarne, Penet and Company respecting the consignment and the "*advice*" of "*the proper Account and risque*" referred to in the Bills of loading. For the necessary Entries on the Committees Books of the Orders for Chartering, Loading and Insuring the Vessel which ought to have appeared there in manner and stile clear and explicit.

The Clerk of the Office informs me that he has spent many hours seeking for these lights and can discover none of them nor any Papers concerning the Farmer excepting those before mentioned which were tyed up in one parcel and appeared to be all the documents relative to that Ship—but that he had not fully examined every Paper in the Office, it is possible therefore they may hereafter be found.

Neither can I discover the letter which Mr. Lewis says Mr. Morris sent to Congress informing them of "a rumor spread in Philadelphia that the Ship was taken by the Enemy, but he hoped it was not true, if it was, he had fifty Hogsheads of Tobacco on board on his own Account."

The first extract produced by Mr. Lewis is copy of an entry on the Books that an Order was drawn by the Commercial Committee 16th April 1777 on the Treasury for payment of 14666 $\frac{2}{3}$ Dollars to the owners of the Ship Farmer for the valuation of that Ship, *Chartered and insured by the Committee on public Account*, said ship being taken in Chesapeake Bay on the twenty first day of January last by two of the Enemy's ships of War as appears by the Captains Protest."

The Protest sets forth that the Ship had been captured, but not of her being chartered and insured by the Committee on Public Account; nor does any one of the antecedent documents referred to above, tend to induce a belief that she was. The Committee must therefore have derived their knowledge that the Ship was "*chartered and insured on Public Account*" from some other sources of information, for I will not suppose they would have drawn the Order for 14666 $\frac{2}{3}$ Dollars, or have suffered the recited entry to be made in their Books but under the influence of some kind of proofs for their guide in the disposal of Public Money—two of the Committee are now present, these Gentlemen may possibly give the House such information on this head, as will remove every doubt and render further investigation unnecessary.³

Sir, I have not been thus minute from any wish or desire to criminate Mr. Robert Morris; Congress will remember I declared that my views in mentioning this subject at York Town were to do justice to that Gentleman as well as to the Public—but to return to Mr. Lewis' Paper.

If Mr. Lewis had been satisfied on the 16th of April 1777, four Months before I had the honor of his acquaintance that the Ship Farmer had been bona fide, *chartered, insured, and loaded on Public Account*, I demand, with what view, or for what good purpose did he, eight or ten Months after that date relate to me that Captain Dashiell had said his Ship "was chartered by Messrs. Willing and Morris' Clerk, and that the Bills of Loading which the said Captain had signed were filled up shipp'd by Willing and Morris and that the Committee had therefore concluded that the Cargo was not on Public Account."

I quote Mr. Lewis' words of the 14th Instant delivered on Paper, not those which he really spoke to me at York Town. Did Mr. Lewis give this strange and inconclusive relation in order to convince me that *our Commercial transactions*, were not, "in a confused state"? Does it seem to have been calculated for hushing my complaints, implied in the hints which he says I gave of "some Vessels employed in the Public service carrying Goods on the private Account of some Members of the Committee"? Or did it rather, as I have most truly averred serve to "heighten my jealousies by his frequent repetitions that our Commercial Affairs had been *sadly conducted*"?

That those Affairs had been *sadly conducted* requires no other proof than half an hours review of the Committee's Books.

Why did Mr. Lewis after I had briefly mentioned in Congress the information which he had given me of the Tobacco Ship and had appealed personally to him call on me and say, "I am very sorry you mentioned that affair in Congress, because I intended to mention it to Mr. Morris myself"?

And I now appeal to every candid mind, does not Mr. Lewis's present and very inconclusive narrative of what he calls a tête à tête conversation tend to excite suspicions of some hidden or unfair proceedings in the case of the ship Farmer?

The "*conclusions of the Committee that the Cargo was not on Public Account*" one would naturally suppose were well grounded before they put the Public to the expence of equipping an extra Ship merely for the purpose of carrying dispatches. The owner of the Ship Farmer lived at Baltimore, a conference with him would instantly have removed all the difficulties which Captain Dashiell had raised.

The Ship Farmer was chartered on the third of October 1776, sailed on the 10th of January 1777 and captured on the 21st of that Month.

According to Mr. Lewis' state, the first insinuation that the bulk of the cargo was Public property appeared in Mr. Morris' Letter written subsequently to the capture informing Congress that he had fifty Hogsheads of Tobacco on board.

If the *charter*, the *loading* and the *Insurance* had been actually on Public Account, how came Mr. Lewis to remain in ignorance of these interesting facts at least four Months, and for aught we know, to this hour?

I will beg Mr. Lewis' indulgence to ask him another question—If the Vessel was chartered and insured on Account of the Public, by whose permission and under what stipulations did Mr. Morris ship fifty Hogsheads of Tobacco on his private Account?

But, Sir,—After all these appearances I do not charge Mr. Morris with fraud, I never did charge him with fraud, nor did I ever intend to do so from bare appearances, I honestly appealed to the Gentleman who had made a display of those appearances.

It will rest with Mr. Morris, unless the Commercial Committee can now give us satisfaction, by clear, explicit, unambiguous proofs to convince this House that his conduct was honest & justifiable.

The best friend Mr. Morris has in the World will not more sincerely rejoice than I shall, at the sight of such evidence.

If Mr. Morris' character has been unjustly drawn into suspicion, I am not the Man, who—from malice, wantonness, or stupid inattention to business placed, or suffered it to remain in an unfavorable light.

Had I harboured a malignant disposition for blasting that Gentlemen's reputation I should long ago have searched for the Papers which I have, in the present instance been compelled to exhibit.

Every sensible Man will acknowledge they contain ample funds for slanderous whisper, but by the grace of God I have acted a more generous part; I briefly related to Congress what I had learned from Mr. Lewis, and to this Gentleman I appealed as my informant, thenceforward contenting myself with the reflection that I had done *my* duty. I shall conclude with saying that I have reason to believe I am not the only Gentleman to whom Mr. Lewis has, at some time or other expressed his dissatisfaction with the affair of the Ship Farmer, a mere dissatisfaction expressed by him has a tendency to excite jealousies in the minds of Men ignorant of the facts, but not of the universal opinion "*that our Commercial affairs had been sadly conducted.*" ⁴

Henry Laurens

RC (DNA: PCC, item 19). In the hand of Moses Young, and signed and endorsed by Henry Laurens: "Intended to have been laid before Congress Monday the 18th had there been a House." Endorsed by Charles Thomson: "Jany. 16. 1779. A Second paper delivered in by Mr Laurens Jany 19. 1779, Referred with the former paper & that of Mr Lewis to Mr M Smith, Mr Ellery, Mr Ellsworth, Mr Paca, Mr T Adams, who are directed to enquire into the facts therein set forth & call upon Mr R Morris and report to Congress."

¹ See Francis Lewis to Congress, January 14, 1779.

² See Laurens' Notes on His Remarks in Congress, January 9; and Laurens' Statement, January 11, 1779.

³ For Morris' response to the questions Laurens raised here concerning ambiguities over how the *Farmer* was chartered "on Public Account," see *JCC*, 13:169-72. For an instance of how another delegate, Elbridge Gerry, engaged in similar practices in his efforts to import military stores for the Massachusetts Board of War, see these *Letters*, 7:273-74.

⁴ Congress responded to the reading of Laurens' charges by appointing a committee on January 19 "to enquire into the facts therein set forth, and call upon Mr. R. Morris to answer." For the results of that inquiry, which led the committee to conclude, in a report adopted by Congress on February 11, "that the said Robert Morris has clearly and fully vindicated himself," see *JCC*, 13:86, 158-60, 163-76.

John Penn to Jethro Sumner

Dear Sir

Philada. Jany. 16, 1779

Inclosed you will receive a Commissn. appointing you Brigadr. Your rank in the Army depends on the date of your Colo's. Commission. It was not in my power to procure it sooner owing to the length of time it took to arrange the army. Colo. Hogan is appointed a Brigadr. also. The reason given for over looking or in other words not complying with the recommendation of No. Carolina in favr. of Colo. Clark was that Colo. Hogan had behaved well & was the oldest officer.¹ All acknowledged Colo. Clark's merit & would have been glad to have raised him. I have no news worth communicating to you. The enemy will not leave New York this winter. I suspect we shall have another Campaign. My best respects attend you and your Family. I am, Dear Sir, Your obt. Servt.

J. Penn

RC (NN: Emmet Collection). Addressed: "J. Sumner Esqr., Brigadr. General in the Service of the United States, Bute County, N. Carolina."

¹ See Thomas Burke to Richard Caswell, January 10, 1779.

Daniel Roberdeau to Joseph Reed

Sir,

Philadelphia, Jan'y 16th, 1779

I have the honor of now enclosing you an act of Congress of this

day, in answer to the application of the Delegates of this State, agreeable to your Excellency's Instructions of the 14th Inst.,¹ & am Y'r Excellency's, Most ob't & very huml serv't.

Daniel Roberdeau.

MS not found; reprinted from *Pa. Archives*, 1st ser. 7:159.

¹ Roberdeau enclosed a resolve of Congress advancing Pennsylvania \$160,000 in response to the state's request "for an advance of Sixty Thousand Pounds, which is become necessary, not only from the great expenditures of the State for Congress, but much the more so by the resolve of Congress of the 2d instant, for calling in two emissions of their Bills of Credit." See *JCC*, 13:74; and *Pa. Council Minutes*, 11:664, 666-67, 669.

William Whipple to John Langdon

My Dear Sir,

Philadelphia 17th Jany 1779

I have received Your Favor of 14th Ultò which acknowledges the receipt of Mine of the 20th Nov which you say is "replete with censure," as the small portion of time I have to devote to private Friendship will not admit of my taking copies of such Letters, nor can I recollect at this distance of time the particular mode of expression I then used, I must suppose your Quotation is right; admitting that to be the case, & the expressions exceptionable; what is to be done? to retract, (according to the modern opinion) is dishonorable; and we are at too great a distance to settle the dispute in a certain concise way, that is very fashionable in this part of the world. I therefore will consent on my part to drop it, provided you will be more punctual in Your correspondence in future. Perhaps such small concessions as these may produce a Treaty tending to perpetuate a Friendship that I highly value and which you seem to have no objection to.

I wish the promotion of Simpson as sincerely as you do, but the reasons you give, viz the appointmt. of Landais & Hardin operate against it for the present.¹ I hope he will content himself with the Command he has for the present Cruise on which I doubt not, his conduct will justify me in urging his promotion. Inclosed is an entry taken from the Books of the Commercial Committee, which is the last article in the Ledger & the accot. is there Ballanced. I have been endeavoring ever since I have been here to get a supply of Flour for you & am now as far off as ever. In short I know not what can be done. The last Crops were exceedingly short, so short that the Comisary tells me he shall be put to difficulty to supply the Army. However I do not quite despair. I shall be able in two or three weeks to give you full information on this subject. It will answer no purpose to send vessels at present, as no private vessels will be suf-

ferred to take in provisions either in this or Chesepeak Bay. I am as usual, Yours &c &c,
Wm. Whipple

RC (PHi: Etting Collection).

¹ Thomas Simpson, brother-in-law of John Langdon, was a lieutenant and commander of the *Ranger*, and Pierre Landais and Seth Harding were captains in the Continental Navy. See JCC, 11:625, 12:951; Josiah Bartlett to Langdon, October 27, 1778; and Gerard W. Gawalt, ed. and trans., *John Paul Jones' Memoir of the American Revolution* (Washington: Library of Congress, 1979), p. 115.

John Fell's Diary

[January 18, 1779]

18th Monday. Commercial Committee 9 oClock. 12 Went to Congress but not being States Sufficent no Congress.

At 6 P M Commercial Committee.

MS (DLC).

Samuel Holten's Diary

[January 18, 1779]

Monday congress adjourned without doing any business, there being but 8 states present. My Colleagues Genl. Whipple & my Self dined with Mr. Holker the Consul of France. Two year this day since the deceas of my honored father.

MS (MDaAr).

John Jay to Sarah Jay

My dear Sally

Philadelphia 18 Jany 1779

Yesterday I had the Pleasure to hear of you tho not *from* you. Your Brother recd. a Letter from Caty,¹ who was then at Elizabeth Town. I imagine from her Letter that you must have returned to Persipiney. This Letter will nevertheless go to Elizabeth Town. I suppose there is a constant Communication between the two Families.

No House yet. About the Middle of February we shall have one: but that will be so near the 1st of March, when my Delegation will expire, that unless it should be prolonged, I doubt whether I ought to put you to so much trouble, for the Sake of spending only a week in Philadelphia. But more of this hereafter. Whether our Legislature will think proper to leave me here longer, is uncertain.² I expect

soon to be informed, and shall give you the earliest Intelligence of their Determination, whatever it may. At any Rate I hope they will not keep me here in the summer Months—until May or the first of June, I should be content—but no longer. God bless you my dear Sally.

I am your very afft Husband,

John Jay

RC (N: Miscellaneous Manuscripts).

¹ A reference to Sarah's brother and sister, Henry Brockholst and Catherine Wilhelmina Livingston.

² See New York Delegates to George Clinton, January 21, 1779, note.

Samuel Adams to Samuel Cooper

My dear Sir

Jany 19 —79

Inclosd is the Newspaper of this Day. Philaethes,¹ in attempting to show that the Supplys from France were not a Present *from that Court*, which nobody that I know of has asserted, has abundantly proved one thing which Common Sense has insisted on viz that A Lee had been negociating with Mr Beaumarchais for those Supplys, before Mr Dean Arrivd there. No one I suppose would have thought of weighting Mr Deans Merit so critically, had he appeard content with his full Share of it. But when he takes so much Pains to represent his Colleagues as having done Nothing, it becomes a Piece of Justice to enquire whether they have in Reality been such unconcern'd or impotent Spectators of their Countrys Misery and Want. Dr Franklin has the *Honor* of being Mr Deans *venerable Friend*; Mr Lee, an insignificant or troublesome Colleague. And yet Mary Johnsons² assiduous Applications procurd the sending a Ship loaded with Merchandise & Stores to the Value of twenty five Thousand Pounds Sterling; and this Negociation was settled before Mr Deans Arrival in France. Mr Lee acted as the *political* Minister. He pressd on Mr Beaumarchais "the maintaining the War in America as the great Object." And indeed it was so. Mr Lee and every Man of Discernment knew, that it was the Policy of France to consider it in this View. On this Consideration he succeeded, and yet, says Mr Beaumarchais, "the Gratitude of Congress is due to the indefatigable Pains Mr Dean has taken thro' the whole of this *Commercial* Transaction." The Truth is, as I suppose, that Mr Dean did not care to return without some such Letter of Recommendation; and it was probably as easily obtaind as the other which I mentiond in my last. Mr. Beaumarchais is a Man of Ingenuity & Wit. Horace was the Delight of the Court of Augustus. A Royal Letter & a Snuff Box, as I once told one of my Friends, are Things of Course, especially in the

Honey Moon of National Matrimony. A Monarch politely compliments thro' the Minister the Ministers Sovereign. When the Merchant and the Courtier unite in one Man, the Courtier is safe in imitating his Master, and pays *his* Compliment in the Stile & Manner of the Merchant.

Mr. Deans Friends are in hopes he will be sent to Holland as a Reward for his good Services, from whence he may probably send or bring another mercantile Letter of Recommendation. Doubtless deep *Commercial* Connections may be formd there. They are willing Mr J A should go to Spain. The Design of this is to get Mr A L removd from thence. Others are for sending Mr A to Holland & leaving Mr L in Spain, to whose Influence in that Country our Armies are indebted for Supplys of Blanketts, Shoes and Stockins. I am sorry to be obligd to think, that a Monopoly of Trade, and not the Liberty of their Country, is the sole object of some Mens Views. This is the Cake which they hope shortly to slice and share among themselves.

Adieu

FC (NN: Adams Papers). In the hand of Samuel Adams.

¹ See Henry Laurens to Philaethes, January 23? 1779.

² Arthur Lee had occasionally signed his dispatches Mary Johnson.

Committee of Congress to the States

In Committee of Congress on the Commy. & Qr. Mr. Departmt.

Sir

Philadelphia 19th January 1779

We did ourselves the honour to write to your Excellency the 11th of November last on the Subject of Engrossing. Permit us to call your attention once more to that Subject. The Evils feared when that Letter was written now rapidly approach—and the Letter from the Commissary General of which we inclose a Copy gives us the most alarming apprehensions.¹

The Wisdom of the State you preside over and your own Exertion will not we are Confident be wanting to prevent the Mischiefs arising from that insatiable thirst of Gain which knows neither principle or bounds.

We will not insult your good Sense by dwelling on this fruitful Topick. Your knowledge of the Cause and prudential foresight of the Effects will doubtless Stimulate you to every Measure which you shall dem necessary for the public Service.

We are with Respect, Your Excellencys Most Obedient & humble Servants,

Gouv Morris

Wm. Whipple

RC (MdAA: Red Books). In a clerical hand and signed by Gouverneur Morris and William Whipple. The text of this circular letter is taken from the letter to Maryland governor Thomas Johnson.

¹ Jeremiah Wadsworth's January 8 letter was read in Congress on January 9 and referred "to the committee appointed to superintend [the] commissary's and quartermaster's departments." *JCC*, 13:43.

John Fell's Diary

Jan'y 19th [1779]

Tuesday. Commercial Committee. Excessive cold. Congress. Letter from Genl Sulevan to Genl Prescott and his answer. Do. from Lt Coll Bradford for leave to Resign, Do from Capt Fowler late a British Officer,¹ Do from Genl Green recommending Warrant Officers to have Commissions, all refered to the Board of Warr. Committee appointed on Acct of Mr. Laurens's information against Mr. R Morris Vizt.

MS (DLC).

¹ See John Jay to Alexander Fowler, January 22, 1779.

James Lovell to Abigail Adams

Jan. 19. 1779.

Yes, lovely Portia, you have written ¹ to one "who lives in the continual practice of mortification & self denial," who therefore can & does most "feelingly commiserate your situation."

I am pleased when *You* speak of my *disinterested* attachment to the public weal: for, I know *you* judge from Sensibilities to which the herd of worldlings are intire strangers. *They* would stare at your opinion, and gravely ask "what *Fortune* does *he* sacrifice."

I fear not, from you, the tax of vanity when I hope my *example* may tend to strengthen your Patience. I will fortify my own by looking up to your dearest Friend, whom even the worldling will own to be a striking pattern.

You say 'tis near 11 months since he left Braintree. I find myself relieved by that period from a certain anxiety, which was founded on my tenderness towards yr. dear Sex that Mr. A's *rigid patriotism* had overcome. He used, in that Spirit, to contemplate with pleasure, a circumstance in you, the like of which in Mrs. L aggravated my absence from home, exceedingly. In spight therefore of his past reproofs to me, I will take pleasure in your *Escape*.

You may be assured, dear Lady, that not a line for you has arrived here, or any thing material to the public under yr. Husband's hand,

or I should have communicated both the one, & the other so far as proper, to you speedily.

From the minutes now on my table I can only mention the Receipt of short letters from him of Apr. 28, Aug. 12, 14, 21. Before I seal, I shall be in the Secretary's office, and will add other dates, if I find them. Personally, I have not had a single line of answer, tho my almanac proves I have written 16 or 18 times to him. He is right in his *short* letters: The quarrels of others are as fiery Beacons to his prudence.

I am sorry you do not see all the papers from this quarter. The vanity of a late Envoy will work its own destruction. His chief antagonist here, tho indiscreet at times, is an overmatch for him in the scribbling way. The Lees are men of *Probity* as well as Science; and the advantage of speaking of them behind their backs will not turn out so great as was at first hoped by the *Innuendo-Man*; so R. H. Lee quaintly terms Mr. D.

Arthur Lee has no Commission but what Mr. Adams helped to give him 18 Months ago. There is no particular destination yet made of Mr. A——, but there will be, shortly. I think Party can hurl no Dart against his Honor.

I will communicate to you from time to time any decision interesting to you.

As to our money; 'Till we get a foreign Loan, we can only patch & patch. There is a prospect of our succeeding in Holland. Our Cause gains strength there daily.

I do not think I shall soon be able to help you to flour. But my wishes are on constant watch.

You do not mention the Receipt of either a Scrawl from me of Novr. 14 or a Box sent by one Lusher who is returned hither, though I have not seen him.

As for Mr. Thaxter, I begin to suspect whether I was ever civil to him for one moment. He has never wrote to me a single line or sent me a verbal message of Direction where I am to find my Saddle-Bags which I lent him. "There is nothing new under the Sun." Why then should I be astonished on this Occasion?

"Past 12 o Clock, and a rainy Morning" says the watchman under my Window. Taking his hint, and quitting, for the present my Converse with *Virtue, Sense & Beauty*, shall I not find, on my pillow, a Repose sweet as that of a cradled Infant? or, if Fancy will maintain her domination jointly with Morpheus, shall I not realize the Slumbers of the Arcadians, and, therein, know myself yr. affectionate Friend.

JL.

P.S. I find Aug. 27, Sepr. 11th.

William Whipple to Joseph Whipple

My Dear Bror.

Philadelphia 19th Jany 1779

Your favor of the 4th inst which I received this day has releaved me from the greatest anxiety. Understanding you had not got home late in Decemr. I was very apprehensive that the severe weat[her] (which has been general through the Country) had caught you in the Mountains. I was rather led to apprehend this from your usual inattention to Your own safety in traveling the woods. It also gives me great Pleasure to hear our Mother has got into winter Quarters.

I am not a little surprised to find *you* so exceedingly alarmd at the publication of Mr D——ns. I shod have supposed *you* woud have recollected that there are two sides to a question. I think I have sent all the papers to Portsmouth since that publication, if you have seen them I imagine *Common Sense* has by this time set you right tho his publications are not proofs of his prudence they are not so inconsistent with truth as you may be led to suppose from certain disavowals which for Political reasons were necessary. The Republican gives you the just character of him or them who Mr. D—— endeavors to traduce. Want of time will not suffer me at present to go so fully into those matters as I otherwise might, but I shall be glad to be inform'd how these publications operate on the minds of People. You need be under no apprensions from parties for I assure you I never have seen less of that spirit than at present. The late President is really as good a man as I ever knew. He Resigned the Chair on Republican Principles having set in it more than a Year. The Chair is now exceedingly well filled.

I do not know what you mean by the Bubble on Connecticut River, as for the Northern Expedition you will hear more of that shortly and I dare say to Your satisfaction.

If I have time tomorrow before the post goes out I shall write to the Doctor.¹ If I shod not I hope you will comfort him a little, he seems to be greatly distressed, that a man that has been a Alderman of London shod be in the service of America.

I have another Pamphlet which shall be at your service when I have opportunity to send it. At present I shall content myself with sending you some newspapers by way of explination. I shall also send some to Col Langdon of different dates. Your very affect Bror, W.W.

RC (MH-H: Sturgis Papers).

¹ William Whipple is probably referring to Dr. Joshua Brackett, a regular correspondent, but in the absence of Brackett's letter this must remain conjectural. Whipple's next extant letter to Brackett, dated March 2, 1779, does not discuss William Lee's position as a London alderman, the subject of this paragraph.

Eliphalet Dyer to Samuel H. Parsons

Dear Sir

Philadelphia Jany. 20th 1779

I receivd your kind favour by Mr. Pumroy & one other near of the same tenor, since I wish it was in my power to give you a Satisfactory Answer to the Contents, have been waiting for Mr. Pumroys return or should have wrote you before. Soon after Coll Roots & my arrival at this place Mr. Sherman set off for home & Coll Root was appointed to the board of Warr in his room & as Mr Pumroys Affairs & those of the Arrangement lay before that board I referd Mr. Pumroy to Coll Root to expedite his business & also Committed to him your last letter relating to the Arrangement & have pressed upon him both expeditions in the one & that he would see Justice done in the Other, but unhappily Nothing is as yet brot to a Close in the Arrangement & Mr Pumroy will be able to Acquaint you fully what he has Obtained. A Copy of the Memorial which was preferd to the Genll Assembly of Connecticut in Novr last from a Number of Officers in the Connecticut line was by direction of our Assembly Transmitted to Congress,¹ which was read and Committed to a Comtee Appointed to Confer with & Consult Genll Washington Present on many other Important matters relating to the Army, but as yet we have not receivd their report, but are Impatiently waiting for it. The Affair of Mr Dean has taken up Considerable time of late in Congress. He has been fully heard in every matter he chose to represent & lay before them, but no result as yet thereon. I could have wished Mr Dean had not began his publication. I rather think he will Suffer in Consequence thereof especially as he has Attackd the personal characters of some who have been thot by some worthy high Esteem & Confidence as he thereby raises a Storm against himself. Congress have been Oblidgd to Interpose & Censure some Clauses in the publications made by (Common Sense) as they Affected the Carracter of our New Allie, & ought to have been Avoided being made publick if true, but have no disposition to enter largely into this Subject but leave it to the publick discussions, tho have no doubt in my own mind but Mr Dean has much Merit (tho not wholly free from foibles & Imperfections) for which he ought to have a publick Approbation.

I this day after I had began this letter for the first never having any previous knowledge or Intimation from Mr. Lovel Your Letter Inclosed to him & directed to me made known & delivered me. I have just had a Moments time to run it through, believe it to Contain many Usefull hints remarks & Observations on the Affairs Congress has had Under Consideration & have allready concluded but it has come to my knowledge too late to be of any service & I must doubt whether any Member of Congress has been Acquainted with the Sentiments

herein containd except the Gentn to whom it was inclosed. On the receipt of yours more than a fortnight agoe I attackd Mr. L——l on his Neglect you mentioned in not answering his Letters on which he Informed he had wrote you² which was then on its way, but he mentioned Nothing then of his having any letter in his possession open for his perrusal & directed to me. But however leave him & you to settle those matters as you think proper. The Opporations of the Next Compaine are left wholly to Genll Washington as Super Intendant of the whole. I hope some Effectual Methods will be taken to curb the insolence of the Savages & put it out of their power with absconding Tories to ravage & distress our Frontiers. I believe something Very soon will be done for the future Incouragement of our Patriotick Army but it is not as yet quite brot to Maturity.

Am with sincere Esteem, Yr Hle Servt Eliphlt Dyer

P.S. In discursing with Mr. Elsworth on the Contents of your letter Inclosed to Mr. L——l Mr. Elsworth Informs me he rather thinks Mr L——l had shown the letter to Mr. Sherman. The Resolutions of Congress funding the several Emissions drawing in fifteen millions the insuing year by Tax & the succeeding taxes for 18 years to sink the whole with the measures taken to Stop the present Circulation of the Emissions of April & May 1777 you will see at large publishd in the papers. These were all prepared & had passed a Comtee of the Whole house before my arrival. I gave my yea to you when they come before the house tho not every way as I could wish yet the best that could be done at present & hope may have some good Effect. ED

RC (OCIWHI). Addressed: "Br. Genll. Parsons, Continental Army, Redding In Connecticut."

¹ For further information on the Connecticut officers' request for increased allowances, see Connecticut Delegates to Jonathan Trumbull, Sr., January 4, 1779, note 2.

² If James Lovell had written to Parsons, his letter has not been found.

Oliver Ellsworth's Thoughts on the Paper Currency

Philadelphia, January 20th [1779]

Credit is founded on principles as fixed and uniform as any [in] nature; and, whether applied to individuals or nations, rises and falls with the prospect of their being able to pay their debts, with this additional circumstance, when applied to the latter, of their being also willing.

It was impossible but the credit of America should run low and her bills sink, so long as her independence was doubtful, and the odds apparently against her that she would fail in the present contest.

But the prospect has changed. The independence of America now rests on sure ground, and is so established and confirmed that it can neither be overthrown nor given up.

Great-Britain has fully tried her strength and her arts upon it, but to little other purpose finally, it seems, than that of setting Europe in a blaze, and cutting out work for herself. All the troops she can now raise are called for to Gibraltar and the West-Indies, and she is obliged to embody militia for her internal defence and safety.

But let the rage of Great-Britain spend itself how or where it may, America has learned to despise it. America now finds herself in a proper state of defence. Her governments are at length established and vigorous; her counsels united and firm; her supplies for war plentiful; her army inured to the field, and, in prowess and discipline, superior to those who taught them the art of war. Her affairs also stand well abroad. Her Ambassadors are well and honourably received; the most illustrious and powerful Monarch in Europe is avowedly her friend and ally; and she is well secured in the principal interests of that quarter of the world. The fate of America is no longer doubtful. Her emancipation is complete and her empire established. It is the Lord's doing, and it should be marvellous in her eyes.

Talking now of her not being able to pay her debts, is talking merely by the force of habit. And to say that the credit of her bills will not rise, is as perfectly idle as to say the sun will not; and as much against the course of nature. However weak and credulous men may have been deluded and imposed on, the truth is, that there is not now a man of sober thought and forecast but sees that the bills shortly will and must rise. The event is as certain, from the nature of credit and present state of affairs, as that men will continue to love gain, and have discernment enough to find out where it lies. Was there any room for doubt in this matter before, there can be none now that the voice of America has been taken, and the Resolutions of Congress of the 2d of January have passed, establishing effectual means for the redemption of the bills, as well as adopting the necessary measures to prevent their discredit from counterfeits.

Those Resolutions will be seen and read of all men, and they need no comment. Designed for the approbation and benefit of all, they are easy to be understood, and carry their own evidence and sufficiency with them.

Do they, indeed, subject any to inconvenience by calling in the adulterated emissions? the public safety required the measure, and those who are most affected are most secured and benefitted by it. Do they also disclose and lay open to the world America's debt? it was impossible otherwise to establish and apply the means for sinking it. Nor indeed is this debt her shame, nor her weakness; especially when it is considered that she has all the money in hand to pay it with, and

is not really a farthing the poorer for owing it. What, of the price of her redemption, she has not paid down in the labors and blood of her own citizens, she has had credit for from herself, and is not, like the boasted mistress of the world, mortgaged to half the Princes in Germany for troops she can neither return nor pay for.

The debt of America is certain and must be paid; but, considering the occasion of it and the numbers to pay it, it cannot be called great. Less stock or produce of the country than would hereafter have sold for five millions sterling, would now cancel it; which is millions less than Great-Britain pays every year for interest, and but one fourth of what she expended last war in a single campaign. Was America, instead of nineteen years, to sink her whole debt to-morrow, a middling farmer for the eastern states, would not have more to pay than the avails of one yoke of fat oxen or fifty bushels of wheat; or if every inhabitant should pay equally, the price of five bushels would suffice for one. And tho' the same bushels of wheat that are competent to pay this debt, or any portion of it, now, will not continue so; yet the same bills will: and hence will probably arise a line of distinction between wise men and fools.

This easement, however, will be common to all, that as the debt swells by appreciation, the wealth and numbers to pay it will be increasing also; and that, no doubt, with great rapidity, as the world will be America's range for commerce, and her inhabitants have been wont to double in little odds of twenty years. It ought also to be remembered here, that a revenue will arise, to help to pay this debt, from the sale of forfeited estates and the appropriation of debts due to British merchants (to say nothing of Crown Lands) of at least some millions.

But whatever may be the advantage of America for getting out of debt, it is very apparent she has got less in than could have reasonably been expected. And the true reason is, notwithstanding all the cry of extortion, that she has been cheaply served, and cheaper than a nation of freemen ever were before. No other cause can be assigned, and this one is obvious to the feelings of thousands.

Wherefore, with what grace could the public keep back part of the price, or, which is the same thing, call in her bills at a discount? This, however, it has been argued, she might do, and even refuse to call in or redeem them at all; and yet save to herself a good conscience, as well as great gain. The argument, if argument it may be called, stands thus—That when the public emitted those bills, and pledged her faith for the redemption of them, she was in great distress, and had no other way to help herself, and so was under a sort of duress or fatal necessity; and also that she made a bad bargain; and furthermore that some of her subjects will grow too rich if she does not vacate it; so that upon the whole, duress, bad bargain, and dangerous consequences all put together, her contract is of no force—to be sure not more than a fourth

or sixth part of it. This reasoning may be thought æconomical, but it is not subtle enough to answer the end proposed. Whatever else America may be tempted to, she never can be brought to a *violation of her own faith*. Should she totally lose all sense of honor and all sense of shame, which God forbid, yet still she has guards against *perfidy* too strong to be broken through. She could not violate her faith, without at once and forever losing all confidence of her citizens. She could not violate her faith without disgracing herself with all nations, and disqualifying herself for all treaties. She could not violate her faith without incensing the Almighty and daring his vengeance against her. She could not violate her faith and destroy her currency without effectually depriving herself of the means of defence. In a word any violation of the public faith, on which her paper currency rests, would be madness, atheism and suicide. The mists and doubts raised on this subject of late, by enemies and the arts of wicked and designing men, are evidently beginning to subside and will soon totally vanish. When multitudes will be left to wonder at their own credulity and curse their deceivers.

OBSERVATOR ¹

MS not found; reprinted from the *Pennsylvania Packet; or the General Advertiser*, January 26, 1779.

¹ Oliver Ellsworth acknowledged his authorship of this article when he explained to Theodore Hinsdale that "a short piece"—"on the state of our paper currency"—would soon appear in the Hartford paper "under the signature of observator." The article was first published in the *Pennsylvania Packet*, under the heading "THOUGHTS on the PAPER CURRENCY," and was reprinted in the March 9, 1779, issue of the *Connecticut Courant and the Weekly Intelligencer*. See Ellsworth to Hinsdale, January 26, 1779.

John Fell's Diary

[January 20, 1779]

20th Wednesday. Commercial Committee 9 oClock. Congress. Letters from Sieur Gerrard & Genl DePortail and others. President requested, to answer them. Letter from Major Genl Lincoln with an Acct of the Enemys taking Savanna in Georgia, Letter from Coll Zedwitz ¹ referred to the Board of Warr. Letter from Genl McIntosh concerning the Indians referred to Genl Washington. Letter from Mr Deane. Motion for a Committee on foreign affairs one Member from Each State vizt. Whipple, Gerry, Ellery, Ellsworth, Duane, Fell, Searle, McKean, Paca, Smith, Burk, Laurens, Langworthy.²

MS (DLC).

¹ Col. Herman Zedwitz.

² For further information on the special committee appointed to consider foreign

affairs and the "conduct of the late and present Commissioners of these states in Europe," see Foreign Affairs Inquiry Committee Minutes of Proceedings, January 21, 1779.

John Henry to Thomas Johnson

Dear Sir

Philadela Jany. 20th. 1779.

Your Letters of the 9th & 10th Jany. came safe to hand with their inclosures. The Declaration of the Assembly concerning the Confederacy and the Instructions to the Delegates in Congress we have received properly authenticated by the Clerks of both Houses. The former we shall have published to Day agreeable to our instructions.¹ Your power of Attorney and the proposal accompaning it shall be carefully attended to.

We have no foreign intelligence that can be depended on. We are in daily expectation of receiving the Kings Speech, which it is probable will discover the views of Administration. The New-York papers boast much of their Negotiations in Russia, and would make us believe that a body of Troops from that Country, will be in America in the spring.

Mr. Deans' address to the public and other Newspaper publications upon the same subject has given great pleasure to our Enemies in New-York. General Washington is still in Town in Conference with a Committee upon some arraimgments.

Be pleased to inform Mr. Davidson that due attention will be paid to his Letter and power of attorney.

I am Sir with the highest personal respect and Esteem your hble Servt.

J Henry Junr.

RC (MdAA: Red Books).

¹ The Maryland Assembly's "Declaration . . . concerning the Confederacy" and "Instructions" to the delegates are in PCC, item 70, fols. 293-300, 305-12. For the disposition of the former, which was read in Congress on January 6, see *JCC*, 13:29-30. For its publication as a one-page broadside, to which the authenticating signatures of Henry, William Carmichael, and William Paca were appended on some copies of the document, see illustration and Clifford K. Shipton and James E. Mooney, *National Index of American Imprints through 1800; the Short-Title Evans*, 2 vols. (Worcester, Mass.: American Antiquarian Society, 1969), 1:455, "Maryland. General Assembly, 1778," no. 43,488.

The "Instructions," however, were not made public until May 21, 1779, when they were read in Congress pursuant to a paragraph contained in them ordering the delegates "to move at a proper time, that these instructions be read to Congress by their secretary, and entered on the journals of Congress." The development that led the Maryland delegates to decide at that moment that "a proper time" had indeed arrived was the action of the Virginia delegates the preceding day in presenting to Congress a resolve of the Virginia Assembly instructing them to propose that the states confederate without Maryland. *JCC*, 14:617-22. For a dis-

STATE of MARYLAND.

A DECLARATION.

WHEREAS the General Assembly of Maryland hath heretofore Resolved, "That the Delegates of this State should be instructed, to remonstrate to the Congress, that this State esteem it essentially necessary for rendering the union lasting, that the United States in Congress assembled should have full power to ascertain and fix the western limits of those States, that claim to the Mississippi or South Sea.

"That this State considered themselves justly intitled to a right in common with the other Members of the Union, to that extensive tract of country, which lies to the westward of the frontiers of the United States, the property of which was not vested in, or granted to individuals at the commencement of the present war; that the same had been, or might thereafter be gained from the King of Great Britain, or the native Indians, by the blood and treasure of all, and ought therefore to be a common estate to be granted out on terms, beneficial to all the United States, and that they should use their utmost endeavours, that an Article to that effect be made part of the Confederation.

"That this State would contribute their quota of Men and Money, towards carrying on the present war with Great Britain, for the purpose of establishing the Freedom and Independence of the United States, according to such rule of proportion as should be determined by the United States in Congress assembled, and would pay their proportions of all Money issued or borrowed by Congress, or which might thereafter be issued or borrowed for the purpose aforesaid.

"And that this State would accede to and faithfully execute all treaties which had been or should be made by authority of Congress, and would be bound and governed by the determination of the United States in Congress assembled, relative to peace or war.

"That this State hath upon all occasions shewn her zeal to promote and maintain the general welfare of the United States of America: That upon the same principle, they are of opinion, a Confederation of perpetual friendship and union between the United States is highly necessary for the benefit of the whole; and that they are most willing and desirous to enter into a Confederation and Union; but at the same time, such Confederation should in their opinion be founded on the principles of justice and equity."

Which Resolves, Remonstrance and Instructions, were by our Delegates laid before Congress, and the objections therein made to the Confederation were submitted in writing to their consideration, and the several points fully discussed and debated, and the alterations and amendments proposed by our Delegates to the Confederation, in consequence of the aforesaid Instructions by us to them given, were rejected, and no satisfactory reasons assigned for the rejection thereof.

We do therefore declare, that we esteem it fundamentally wrong and repugnant to every principle of equity and good policy, on which a Confederation between free, Sovereign and Independent States, ought to be founded, that this or any other State, entering into such Confederation should be burdened with heavy expences for the subduing and guaranteeing immense tracts of country, if they are not to share any part of the Monies arising from the sales of the lands within those tracts, or be otherwise benefited thereby. In conformity to this our opinion, the sentiments of our constituents, in justice to them and ourselves, and lest such construction should hereafter be put on the undefined expressions, contained in the third article of the Confederation, and the Proviso to the ninth (according to which no State is to be deprived of territory for the benefit of the United States) as may subject all to such guaranty as aforesaid, and deprive some of the said States of their right in common to the lands aforesaid.

We declare, that we mean not to subject ourselves to such guaranty, nor will we be responsible for any part of such expence, unless the third Article and Proviso aforesaid be explained, so as to prevent their being hereafter construed in a manner injurious to this State. Willing however, to remove as far as we can consistently with the trust conferred upon us, every other objection on our part to the Confederation, and anxiously desirous to cement by the most indissoluble ties that union, which has hitherto enabled us to resist the artifices and the power of Great Britain, and conceiving ourselves, as we have heretofore declared, justly intitled to a right in common with the other Members of the union to that extensive Country lying to the westward of the frontiers of the United States, the property of which was not vested in or granted to individuals at the commencement of the present war.

We declare, that we will accede to the Confederation, provided an article or articles be added thereto, giving full power to the United States in Congress assembled, to ascertain and fix the western limits of the States claiming to extend to the Mississippi or South Sea, and expressly reserving and securing to the United States a right in common to and to all the lands lying to the westward of the frontiers as aforesaid, not granted to, surveyed for or purchased by individuals at the commencement of the present war, in such manner that the said lands be sold out or otherwise disposed of for the common benefit of all the states, and that the money arising from the sale of those lands, or the quit-rents reserved thereon, may be deemed and taken as part of the monies belonging to the United States, and as such be appropriated by Congress towards defraying the expences of the war and the payment of interest on monies borrowed or to be borrowed on the credit of the United States, from France or any other European Power, or for any other joint benefit of the United States.

We do further declare, that the exclusive claim set up by some states to the whole western country, by extending their limits to the Mississippi or South Sea, is in our judgment without any solid foundation; and we religiously believe will, if submitted, prove ruinous to this state and to other states similarly circumstanced, and in process of time be the means of subverting the Confederation if it be not explained by the additional article or articles proposed, so as to obviate all misconception and misinterpretation of those parts thereof that are herein before specified.

We entered into this just and necessary war to defend our rights against the attacks of avarice and ambition; We have made the most strenuous efforts during the prosecution of it, and we are resolved to continue them until our Independence is firmly established. Hitherto we have successfully resisted, and we hope, with the blessing of Providence, for final success. If the enemy, encouraged by the appearance of divisions among us, and the hope of our not confederating, should carry on hostilities longer than they otherwise would have done, let those be responsible for the prolongation of the war and all its consequent calamities, who by refusing to comply with requisitions so just and reasonable, have hitherto prevented the Confederation from taking place, and are therefore justly chargeable with every evil which hath flowed and may flow from such procrastination.

By the House of Delegates,
December 15, 1778.

By the Senate,
December 15, 1778.

Maryland "Declaration . . . concerning the Confederacy,"
December 15, 1778

cussion of western land claims as the principal issue involved in Maryland's opposition to ratifying the Articles of Confederation at this time, see Merrill Jensen, "The Cession of the Old Northwest," *Mississippi Valley Historical Review* 23 (June 1936): 35-41. See also Henry to Johnson, January 30, 1779, note 1.

John Jay to Certain French Officers

Gentlemen,

Philadelphia 20th Jany. 1779

Having been favored by the Minister of France with a Copy of your Letter of the 15th Inst. to him, on the Subject of your continuing another Campaign in the Service of the United States, I took the earliest Opportunity of communicating it to Congress. In Obedience to their Commands, I have the Pleasure to inform You that Your Zeal for the American cause & the Chearfulness with which You engage to serve it are particularly acceptable to them. Be assured that their Attachment to your Royal Master, added to the personal Regard they entertain for You, will ever prompt them to promote your happiness & Honor.

I am Gentlemen, Your most obedt. & very Hble Servt. J. Jay.

LB (DNA: PCC, item 14). Addressed: "To Brig. General Du Portail, & Colls. La Radiere & Laumoy."

John Jay to Conrad Alexandre Gérard

Sir,

Philadelphia 20th Jany. 1779

The Letter, I had the Honor to receive from You on the 15th Inst. enclosing One from General Du Portail & others to You, should have been answered before, had not matters of high Importance prevented Congress from taking any Order on it till this Morning.¹ I am happy, Sir, in expressing to You the Satisfaction they derive from your Attention to their desires on this Occasion, and in being authorized to assure You, that Congress, ever desirous to cement the Alliance by every mutual Tye, will omit no Opportunity of rendering the American Service agreeable & honorary to such of the Subjects of their great Ally as may distinguish themselves in it.

I have the Honor to be Sir, with great Respect & Esteem, Your most Obedt. & most Hble Servt.

J.J.

LB (DNA: PCC, item 14).

¹ Four French engineers in the Continental Army, Duportail, La Radiere, Laumoy, and Gouvion, had sought clarification of their status for the 1779 campaign, in part because the permission they had obtained from the French court to

serve in America would expire in February 1779 if not renewed. This Washington had explained to Congress in a letter of November 16, to which he added his personal recommendation that the four be so retained, and when Congress failed to act on his original letter he restated their concern and his recommendation in a letter of December 31. Congress therefore resolved on January 1 that the French engineers be retained in the Continental Army "for another campaign, if agreeable to their inclinations, and permission can be obtained therefor from his most Christian Majesty or his minister plenipotentiary." To ensure "that our Stay might not be prejudicial to our advancement in France," Duportail thereupon wrote to the Board of War on January 7 to solicit an explicit testimonial for Gérard's use in appealing to the king on their behalf. This letter was read in Congress on January 9 and referred to the Committee of Conference, which immediately placed their case on its agenda for discussion with Washington. Apparently the result was satisfactory to them, for on January 15 they signified their approval of Congress' action, and the same day Gérard wrote to President Jay that having formally sought the king's permission he had no doubt that an extension of their furloughs would be approved. See *JCC*, 12:1149, 1265, 13:9-10, 43, 93; Washington, *Writings* (Fitzpatrick), 13:261-63, 468-69; *PCC*, item 94, fols. 97-106, item 147, 3:9-12; Meng, *Gérard Despatches*, p. 485; and Committee of Conference to Washington, January 10, 1779, note 5.

Henry Laurens' Notes on a Georgia Campaign

	20th January [1779] ¹
Embarkation at New York, suppos'd 3000—admit	2500
from St. Augustine, regulars at least	1200
from thence also—refugees & Tories from Georgia & So Carolina	1000
disaffected persons from So Carolina & No Carolina at least	1500
	<hr/> 6200
Negroes sufficient for Pioneers, servants & all fatigue Duty by Land & Water	}
Negroes who may be armed	
	<hr/> 800
	<hr/> 7000
Creek Indians actually at War with Georgia & So Carolina said to be 5000 Gun Men. admit for the field in their irregular mode of fighting	1000
Choctaws (said to be 7000)	1000
Cherokees who will make War when they can with an appearance of safety (2500)	1500
	<hr/> 3500
	<hr/> 10500
Rebel Negroes	
The advantage of Shipping equal to	3500
	<hr/> 14000

Virginia, & No. Carolina, auxiliaries	5000
So Carolina at the very utmost when beset by Britons, Indians, Negroes & Tories, on all sides in her bosom	7000
	<u>12000</u>

Plunder in Georgia

Rice	20000 bars
Indigo	200000 lbs

Gallies & other Navigation

Horned Cattle said by Mr. Langworthy to
be in the State 15000—admit 3000

Negroes not less than 5000

Indian Corn, Peas & Potatoes great abundance
sufficient to feed their Troops & fleet
2 or 3 Months

Pitch, Tar & Turpentine enough for present supply
of their fleet

Pine, Cypress & Cedar, Scantlin Boards
& Shingles, as much as the Enemy can find
Shipping to transport

Horses—abundance—

All the Islands of Daufuskee, Hilton Head,
St. Helena, Hunting Islands, Fenwicke's, Edisto &c &c } So Carolina
abounding with horned Cattle, Horses,
Rice, Indigo, Corn, Pease, Hogs, Sheep,
Negroes &c &c—all at their mercy

All the heavy Cannon & Military Stores in Georgia

MS (ScHi: Laurens Papers, no. 24). In the hand of Henry Laurens and endorsed by him: "Estimate of the Enemy's Enterprize against Georgia, 20th January 1778 [i.e. 1779]."

¹ Although the date of Laurens' endorsement is in error, he undoubtedly prepared these notes in connection with his work on the committee that was conferring with Washington on a plan of operations for the 1779 campaign, to which Congress this day referred Gen. Benjamin Lincoln's December 31 letter on the fall of Savannah. *JCC*, 13:93. For the steps that the committee's report led Congress to take on January 22 in relation to the defense of Georgia and South Carolina, see *JCC*, 13:100–103. Unfortunately, since the committee's report has not been found, it is impossible to determine whether Laurens made these notes for his personal use or for that of the committee. For a related document, see Laurens' Notes on South Carolina's Defense, December 1778.

William Whipple to John Langdon

My Dear Sir,

Philadelphia 20th Jany 1779.

Your three favors viz No 6, 7 & 8 came to hand yesterday; I suppose

the Severity of the weather has delayed the Post. I see no danger this way of a loss of influence. Some little convulsions are always necessary to let people know themselves. I hope the plan of finance will have a good effect, but something farther must be done. I hope New Hampshire will tax largely and not confine herself to the 500,000—her proportion was set higher, but I got it lowered in order that she might be more at liberty to act herself.¹ Many of the States will tax much more than the sums set to them. Virginia will raise between 2 and 3 millions lawful. Those States that tax very high while money is thus plenty will certainly find their advantage in it. I shall write you a long letter the first opportunity, but at present I have not time to add save that I am very Sincerely, Your most affectionate friend &c,

Wm. Whipple

Tr (DLC: Force Collection).

¹ Whipple had been a member of the committee appointed on January 4 to apportion the states' quotas for 1779, which had been set at a \$15,000,000 total. As New Hampshire's proportion for 1778 had been \$200,000 of \$5,000,000, Whipple had in effect reduced New Hampshire's proportionate share by \$100,000. See *JCC*, 9:955, 13:25, 28.

John Fell's Diary

Jany 21st 1779

Commercial Committee 9 oClock. Congress. Letter from the French Minister, and the Marine Committees answer about Provision, and the Commissary Generals reply that he could not furnish any Flour to the Minister.¹ 6 P M Commercial Committee.

MS (DLC).

¹ For further information on the French request for flour, see James Duane to Jeremiah Wadsworth, January 15, 1779.

Foreign Affairs Inquiry Committee Minutes

Jany. 21st 1779

A Committee chosen to make an inquiry into foreign affairs to consist of a member from each state.¹ Members chosen: Whipple, Gerry, Ellery, Elsworth, Duane, Fell, Searle, McKeen, Paca, Smith, Burke, Laurens, Langworthy.

A number of the members meet several Evenings but not making a Committee did no business.²

MS (Capt. J. G. M. Stone, Annapolis, Md., 1974). In the hand of William Whipple.

¹ This committee was appointed on January 20 "to take into consideration the

foreign affairs of the United States," in direct response to Silas Deane's January 20 letter to John Jay pressing Congress to "inform me of their determination respecting me." See *JCC*, 13:93-94; *PCC*, item 103, fol. 167; and Jay to Deane, January 22, 1779, note.

Deane's letter was only the most recent in a long series of maneuvers related to his recall and Congress' investigation of his conduct during his mission to France. The appointment of a special committee to investigate the "foreign affairs" of the United States signified the delegates' recognition that the Deane-Lee controversy had escalated into a crisis that threatened American relations with France and might ultimately compromise congressional efforts to approach Spain or to conclude peace with Great Britain. The committee met almost daily, sometimes twice a day, for nearly two months, and in the course of these meetings it reviewed the conduct of Congress' commissioners to Europe and virtually their entire correspondence with the Committee of Secret Correspondence and Committee for Foreign Affairs since 1776. For the product of the committee's deliberations, which led to the compilation of a report submitted on March 24, 1779, listing charges against every American commissioner in Europe, see *JCC*, 13:363-68. See also the Foreign Affairs Inquiry Committee Minutes printed below in ten entries dating from January 27 to February 12, 1779. Whipple probably kept minutes of additional February and March committee meetings, but the 32-page MS in which this series is found ends abruptly in the middle of his February 15 entry.

² For the continuation of these proceedings, see the committee's minutes, January 27, 1779.

Henry Laurens to John Gibson

Sir Chesnut Street, 21st January 1779.

I had the honor of receiving your favor of the 18th Instant intimating the request of the Board of Treasury "that I would lay before them the expenditures for supporting my Household as well as other incidental charges while I officiated as President of Congress." In answer I must observe Congress were truly informed in my Letter of the 19th Ultimo ¹ that as I had not been taught to expect a reimbursement of my expences I had kept no particular Account of them, therefore I intreated the House to excuse me from attempting to render Accounts which it was impossible for me to frame with any degree of accuracy, and that they would be pleased to accept my services of that kind as a very small return for their friendship.

I would now most earnestly repeat my request had not the House resolved against it, nevertheless it is impossible for me to render particular Accounts, because I kept none; the nearest computation that I can form is, one thousand Pounds Sterling in Bills of Exchange, about forty Guineas in Gold, four thousand Continental Dollars, exclusive of House rent in Philadelphia, Servants, Carriage and Horses, firing, Candles, Stationary, some extra Household furniture, a Pipe of Wine and other liquors supplied me by Major West and Colonel Cox—the whole account may be suitable enough to the

vicious fashion of the day, but with shame I confess it to be altogether anti-republican and inconsistent with the circumstances of the distressed States of America. Whatever sum the Treasury shall be pleased to determine upon, will be perfectly satisfactory to me; had I known I had been living at public expence my conduct should have been governed by different rules & principles.

Under cover with this you will receive an Account of my advances to a Secretary, for I employed but one at a time, to Express Messengers &c which you will be pleased to lay before the Honorable Board, and if it shall be found free from error, a Warrent on the Treasury for the Balance 3394 15/90 Dollars, will be very acceptable.²

I have the honor to be, With great regard, Sir, Your obedient & most humble Servant.

H. Laurens

RC (SchH: Laurens Papers, no. 23). In the hand of Moses Young and signed by Laurens. Addressed: "John Gibson Esquire, Auditor General, Philadelphia." Endorsed by Gibson: "Honble Henry Laurens Esq 21 January 1779"; and by an unidentified hand: "passed Novr. 9 1779."

¹ Laurens' December 19 letter, which was read by Congress on December 22 and referred to the Board of Treasury, has not been found. See *JCC*, 12:1240.

² Laurens' "Account of my advances" has not been found. On November 12, 1779, Congress agreed to pay Laurens \$35,000 "in full of his household expences for thirteen months, being the time of his acting as President of Congress," which had been reduced at his request from the sum of \$52,284 originally recommended on November 6. See *JCC*, 15:1243-44, 1259-60.

Gouverneur Morris to Robert R. Livingston

Dear Livingston

Phila. 21st Jany. 1779.

Were it not that I sometimes hear there is somewhere in Existence such a Person as the Chancellor of NYork I should really begin to think you had launched upon the Stygian Ferry and wearied with the Cabals of a Republic made choise of the absolute Government of the galant tho gloomy Pluto. Is it that you are so busied in heavenly Contemplation as to need a Flapper, or so buried in Indolence as to require a Blister? Come tell me your Disease. Is it because you love Chess so much that you love your Friends so little? Does the Blandishment of Family Enjoyments of domestick Bliss chain your aspiring Soul to your Chimney Corner? Have you lost the Paternal Regards of your great Family the People because some of the Boys are forward, arch and mischeivous? Have you because encountered by Intrigue and Cabal lost a Sense of your own Dignity so as to sink under Evils which Spirit and Activity would surmount? Come I will make no more impertinent Enquiries. You know your own weak Side. Put Armour on it. Sit down half an Hour and suppose yourself unconnected with all the

World. Suppose yourself young, ambitious, sensible, versed in Mankind, a good Lawyer and (but for Easiness) a good Politician. So very well. Now take a Survey of the Ground you have to act on. Where are the Eminences? They must be gained—*They* must be *gained*. Take Care the Enemy do not take you in Flank. If you are penetrated you are lost. Will not some of their Forces revolt? Try them *pliant Salus*. Take Ceres, Bacchus and Minerva to your Aid. The Graces will not desert you and they are an excellent Band. Keep them skirmishing *en avant*. You cannot be *mediocre* and by Heaven if you do not fill the first Rank *brillant comme L'astre du jour* You deserve tenfold Shame and may expect it as the proper Reward of your Ingloriousness.

It was not in my Power to obtain for your Brother the Rank which both you and I know him to deserve. Obstacles in the Way of it were too easily raised by Policy for Friendship to get over. His Resignation hath been accepted with tokens of Regard equally flattering and uncommon.¹ Indulge me while I wish that he will make the proper Use of it which certainly is not the raising of Ill Will and Envy among those who were his Brother Officers. Thus you see my Friend my Heart still speaks to you with the same warmth of Freedom which always animated it towards you. Let yours make some Answer and I intreat you give me the consoling Reflection that not one Moment shall be spent in Listlessness for three Months to come. Promise me this and in return I will promise you that you shall rule the State of New York absolutely that is to say so long as you promote the public Service longer I know you would not desire it & I am very certain I should not. Pray give every Assistance to the Governor which your extensive Abilities will admit of. And both by Precept and Example inculcate that Respect for the first Magistrate which you know to be essential to the Purposes of good Government.

Make my sincere Love to all the Family and particularly to Master Ned and do me the Justice to believe that I am, most sincerely, your Friend,

Gouv Morris

RC (NHi: Livingston Papers).

¹ See James Duane to Livingston, January 3, 1779, note 2.

New York Delegates to George Clinton

Sir, Phila. 21st Jan'y 1779.

We have to address your Excellency on a Subject which is honorable to our Constituents and of great use to the United States. Our worthy Colleague Mr. Jay since his Elevation to the Chair by filling it with Dignity and Impartiality, hath given such general Satisfaction that

we are by no means singular in our Regret that we are so soon to be deprived of his abilities in that important Office. We are not ignorant of the Benefits which the State would derive from his Presence and Services on the Bench of Justice and in the Council of Revision. We therefore shall make no Request. Permit us Sir thro your Excellency to assure the Legislature that should they think proper to extend his appointment to the End of the year¹ it will be agreeable to the several Members of Congress and particularly so to Your Excellency's most obedient & humble Servants,

Fra's Lewis

Gouv'r Morris.

P.S. Having prepared the above Letter and shewn it to Mr. Duane, he declined signing it, unless he could previously know whether Mr. Jay approved of it, which (having sounded him on the Subject before) I ventured to assure him that I believed he did not. Tho from motives of Delicacy as your Excellency will easily perceive a Communication of the Letter would have been improper. Mr. Floyd also declined the Signing of it, tho he approv'd of the Contents but observed that he did not like to dictate a Conduct to his Constituents. I thought it material to say this much lest it should seem extraordinary that the Letter was only signed by Mr. Lewis and myself.

I am respectfully Your Excellency's obed't & humble Serv't
Gouv'r Morris

Reprinted from Clinton, *Papers* (Hastings), 4:514-15.

¹ John Jay's special appointment as a delegate to Congress was due to expire on March 1, 1779, but Governor Clinton extended it "untill thirty Days after the next Meeting of the Legislature," when it was re-extended until October 15, 1779. See Clinton, *Papers* (Hastings), 4:554, 5:261; and *JCC*, 12:1196-97.

John Fell's Diary

[January 22-23, 1779]

22d Fryday. Commercial Committee 9 oClock till 3 P. M. Congress. Coll Frelinghuysen came to town today ¹ but I did not go to Congress. Coll Cadwalader Resign'd. President to write to the Governors of South and North Carolina to assist Georgia. President to write to the Count Estang to request his assistance and to send two advice Boats and the Marquis of Britagnie to have the Command of one,² Letter from Commisary Jeremiah Wadsworth against the Distilling of Grain refferd to a Committee, Genl Washingtons Letter reccomending Coll Rawlinss 3 Companys to be recuted [recruited]. Letter from General Phillips, Letter from Count Mumford for leave to Resign granted. Committee on Col Beattys Letter Reported that the Commisary Gen-

eral of Prisoners Reside at Camp and that he receive orders from the Commander in Chief, Congress, or the Board of Warr. Inspector General to have the Rank of Major General.

23d Saturday. Commercial Committee 9 oClock. Congress. Introduced Coll Frelinghuysen.

NB some of the Business sett down Yeterday was done this day and Entered through mistake.

MS (DLC).

¹ Frederick Frelinghuysen's service as a New Jersey delegate officially began on January 19 when he set off for Congress. According to his account filed on May 31, 1780, Frelinghuysen claimed "by attendance at Congress as one of the Delegates for the State, from January 19th 1779 to March 14th 1779 both days inclusive at 20 dollars per day is—1100 Dollars." Charles Roberts Autograph Collection, PHC. Frelinghuysen appears to have "adjusted" the dates of his attendance in this account, however. Fellow delegate John Fell noted that Frelinghuysen did not leave Philadelphia to return home until March 25 and that he also did not attend Congress from February 27 to March 10. See Fell's Diary entries for February 27, March 11, and 25, 1779.

² The remainder of Fell's January 22 entry consists of references to proceedings in Congress that actually took place the following day. See Fell's concluding note at the foot of this combined January 22-23 entry; and *JCC*, 13:103-4, 107, 110-12.

Samuel Holten's Diary

[January 22, 1779]

22. Friday. We have Acct. of Savannah being taken by the enemy.¹ Good Slaying.

MS (MDaAr).

¹ The news of the British capture of Savannah had been received by Congress on January 20 in a December 31, 1778, letter from Gen. Benjamin Lincoln. See *JCC*, 13:93; and John Fell's Diary, January 20, 1779.

John Jay to Certain Continental Officers

Sir Philadelphia 22nd Jany. 1779

You will receive herewith enclosed a Copy of an Act of Congress of the 21st Instant.¹ I am, Sir, with great Respect, Your most Obedt. & Hble Servt.

J.J.

LB (DNA: PCC, item 14). Addressed: "To Major General Sullivan." Endorsed: "The Same to Major Generals Lincoln & Gates—also to Ebenezer Hancock Esqr. Dy. PayMaster to the Eastn. Department to Benjn. Harrison Junr. Esqr. Dy. Paymaster to the Southern Depart. & to the Assistant PayMaster with Genl. Sullivan."

¹ For this resolve directing auditors and paymasters to establish their offices "near

IN CONGRESS,

OCTOBER 8, 1778.

RESOLVED, That all Limitations of prices of Gold and Silver be taken off.

JANUARY 11, 1779.

Resolved, That it be recommended to the several States forthwith to adopt such measures as may be effectual for detecting persons employed in making Counterfeit Bills or passing the same, knowing them to be false.

NOVEMBER 19, 1778.

Resolved, That the Commissioners of the Continental Loan-Office of the United States, be respectively directed to receive for Loan-Office Certificates, such Bills of Credit only, as have been or may be emitted by Congress, any Resolution to the contrary notwithstanding.

JANUARY 18, 1779.

Resolved, That One-eighth per cent be allowed to the Commissioners of the Loan-Office, on the amount of Bills to be exchanged by them respectively, in lieu of all other expences attending the said Business.

JANUARY 24, 1779.

the printed
 Resolved, That it be recommended to the several States to take the most speedy and effectual measures for publishing the Resolutions of the said Instant, in their several Counties, Towns, and Districts, and for encouraging the wealthy inhabitants thereof, to unite in assisting the indigent, by exchanging, without discount, Bills in their possession, of the Emissions of May 20, 1777, and April 11, 1778.

Extract from the minutes.

CHARLES THOMSON, Secretary.

PHILADELPHIA: Printed by JOHN DUNLAP.

head quarters" to avoid "inconveniences to the public," see *JCC*, 13:99. Jay also sent copies of this resolve with separate covering letters this day to General Washington, Paymaster General William Palfrey, and army auditors John Clark, Jr., and James Johnston. To Palfrey, Clark, and Johnston he also sent a January 16 resolution of Congress on exchanging the Continental emissions of May 20, 1777, and April 11, 1778. See *PCC*, item 14, fols. 23-24; and *JCC*, 13:74.

John Jay to Certain States

Sir, Philadelphia 22nd Jany. 1779

Your Excellency will receive herewith enclosed two printed Papers containing Copies of several Acts of Congress on the Subject of Finance.¹

I have the honor to be with great Respect & Esteem, Your Excellency's most Obedt. & Humble Servant. J. Jay.

LB (DNA: *PCC*, item 14). Addressed: "To His Excellency Governor Clinton. The same to Governors Trumbull, Greene, Rodney and Johnson."

¹ One of these "printed Papers" consists of resolutions of October 8 and November 19, 1778, and January 1 and 14, 1779, concerning gold and silver prices, counterfeiting, Continental loan office regulations, and state measures for exchanging the emissions of May 20, 1777, and April 11, 1778. *JCC*, 12:990-91, 1147, 13:11, 65. This John Dunlap broadside is item no. 16131 in Evans, *Am. Bibliography*. The second consists of resolutions of January 2, 5, 13, and 14 on the subjects of state quotas for 1779, and the exchange of counterfeited Continental bills. See *JCC*, 13:20-23, 28-29, 59-61, 64; and Evans, *Am. Bibliography*, no. 16566.

This day Jay also sent the same "two printed Papers" to "The Council of Massachusetts Bay" and to "Governor Patrick Henry." *PCC*, item 14, fols. 22, 28. In the letter to Henry, he also announced that "You will receive herewith enclosed a Copy of an Act of Congress of the 21st Inst. directing the auditor General & Auditors of the Army to furnish You with the Accounts of Supplies of Money advanced to the Militia of Virginia," for which see *JCC*, 13:99.

John Jay to Silas Deane

Sir, Philadelphia 22nd Jany. 1779

I have the Pleasure of acknowledging the Receipt of your Letter of the 19th Instant. It was immediately communicated to Congress, & by them referred to a Committee.¹

I have the Honor to be Sir, with great Respect & Regard, Your most Obedt. & Hble Servt. J. Jay.

LB (DNA: *PCC*, item 14).

¹ *JCC*, 13:93-94. The January 20 journal entry on Deane's letter refers to it as one "of this day." The transcript of it that is in the *PCC* is dated January 21, the date under which it was printed in Wharton, *Diplomatic Correspondence*, 3:29. For the work of the committee to which Deane's letter was referred, see Foreign Affairs Inquiry Committee Minutes, January 21, 1779, note.

John Jay to Alexander Fowler

Sir,

Philadelphia 22nd Jany. 1779.

I have had the pleasure of receiving your Memorial, & communicating it to Congress. They have referred it to the Board of War. Whatever Determination Congress may come to relative to it shall be immediately transmitted to You.¹

I am Sir, With Regard & Esteem, Your most Obedt. & Hble Servt.

J. J.

LB (DNA: PCC, item 14). Addressed: "To Captain Fowler."

¹ Alexander Fowler, a former British officer with 18 years service, chiefly in America with the Seventy-fourth Regiment of Foot and Eighteenth or Royal Irish Regiment, had offered his services to Congress in a letter of January 18 enclosing a memorial and two "Testimonials." His curious story of having resigned in 1775 rather than "Draw his Sword against this Injured Country" and suffering persecution "for his Attachment to the Cause of Liberty" is in PCC, item 78, 9:237-42. Although Jay states that Fowler's memorial was referred to the Board of War, Secretary Thomson endorsed it: "Read Jany 19. Referred to the Comee Appd to confer with Gen Washington." A document in the Washington Papers confirms that "the Case of Capt. Fowler" was among the topics considered by Washington and the committee, apparently in the context of difficulties encountered in employing foreign officers, which were undoubtedly deemed surmountable in Fowler's case as he was appointed on February 20 an auditor for the army in the western district. See *JCC*, 13:79, 177, 217, 392, 15:1242, 1252, 25:746-47; and Washington, *Writings* (Fitzpatrick), 14:65.

John Jay to Conrad Alexandre Gérard

Friday Evening—22 Jany 1779

The President of Congress presents his Compliments to the Minister of France, and has the Honor of informing him that Congress have directed the Marine Committee to Register the Commission of Monsieur De Valnais, to deliver the original to him, & without delay to take the necessary Steps for making him known to the Massachusetts Bay as Consul of France for that State.¹ The President hopes, as well from personal as public Considerations, that the Minister's health will be speedily restored; and the more so, as he is desirous of conversing with him on several Interesting Subjects, which he purposely postponed, lest he might intrude on that Quiet and Retirement, which the Minister's Indisposition might require.

RC (Sol Feinstone, Washington Crossing, Pa., 1976). In the hand of Henry Brockholst Livingston; dated by John Jay.

¹ Gérard had announced the appointment of Joseph, chevalier de Valnais, as French consul in Massachusetts in a January 21 letter to Congress. for which see PCC, item 167, fol. 367; and *JCC*, 13:97. Accordingly, the Marine Committee sent the follow-

ing brief letter this day to the Massachusetts Council over the signature of committee chairman Samuel Adams. "The Marine Committee have the honor of acquainting the Honble the Council of the State of Massachusetts Bay, by the direction of Congress that the Minister Plenipotentiary of France hath appointed and commissioned Monsr. De Valnais to be Consul in the Port of Boston and other Ports in the said State." Revolutionary War Letters, M-Ar; and Paullin, *Marine Committee Letters*, 2:37.

John Jay to Nathanael Greene

Sir Philadelphia 22nd Jany. 1779

I have the Pleasure of acknowledging the Receipt of your Letter of the 18th Inst. It was communicated to Congress & by them referred to the Board of War. I shall take the earliest Opportunity of transmitting to You the Determination of Congress on the Subject.¹

I have the Honor to be Sir, With great Respect & Esteem, Your most Obedt. & Hble Servt.
John Jay. Presidt

RC (PPAmP: Greene Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

¹ Greene had complained of the injuries and insults experienced by the many persons employed by the army "in the Character of Officers who have no other Commission than a kind of Warrant or Appointment from the Head of the Department in which they serve," and appealed for exempting them, when charged with crimes, from confinement and punishment as common Soldiers. *JCC*, 13:79; and *PCC*, item 155, 1:79. For Congress' March 16 resolve placing "warrant officers on the civil staff of the army . . . on the same footing with commissioned officers in respect to arrests, trials, and punishments," see *JCC*, 13:321.

John Jay to Meshech Weare

Sir, Philadelphia 22nd Jany. 1779.

Your Excellency's Letter of the 28th Ultio. has been received & communicated to Congress. They have referred it to a special Committee, and I shall take the Earliest Opportunity of transmitting to You the final Resolution of Congress respecting the Subject Matter of it.¹ Your Excellency will receive herewith enclosed Copies of 4 Acts of Congress Vizt. of the 2nd, 5th, 13th, & 14th Inst.²

I have the Honor to be Sir, Your Excellencys most Obedt. & Humble Servant.
J.J.

P.S. Your Excellency will also find enclosed a Printed Paper containing Copies of five other Acts, Vizt.—8th Octr. & 19th Novr. last, & two of the 1st, & one of the 14th Instant.³

LB (DNA: PCC, item 14).

¹ For Weare's December 28 letter to Congress and the enclosed petition from

Charles Hunt and others arrested in New Hampshire while attempting to distribute the Carlisle Commissioners' "Manifesto" of October 3, under a flag of truce, see PCC, item 42, 3:371-74; item 64, fols. 70-73; and JCC, 13:78. The petition was referred to "the committee on the letter from Admiral Gambier," for which see Henry Laurens to John Beatty, November 7, 1778, note 1.

² See Jay to Certain States, this date.

³ Ibid.

James Duane to Mary Duane

Philad. 23d Jany. 1779

I had the pleasure, my dearest Polly, of writing you the last Week. My particular Health & situation have not been altered, blessed be God!

We have rather an unpleasing Account from Georgia. It has been invaded by one of the Embarkations from New York and another Body across the Country. Unprepared for such a powerful Attack our few Continental Troops & the militia were worsted, & that State is in the hands of the Enemy. Preparations are making to drive them away, & I have no doubt but Vigorous Exertions will be made. North Carolina & Virginia are sending Succour. This State is our Weak Sister; it is thinly inhabited & we always feard she woud fall when assailed; especially as in this Case by Land & Water. I have no other News. Present my dutiful & affect Regards to our hond Father & Mamma & affect. Compts To every Branch of the Family. Kiss & bless dear Children for me & believe me always, Your affect & faithful Husband,

Jas. Duane

P.S. I had a Note this day from Bror. Robert. He & his Lady are well.

RC (NHi: Duane Papers).

John Jay to Richard Caswell

Sir,

Philadelphia 23d Jany. 1779

The Invasion of Georgia and the Consequences to be apprehended from its being successful, induce Congress to desire that the most vigorous Efforts may be made to oppose & expel the Enemy. For this purpose they have come to the Resolution of which the enclosed is a copy, and they flatter themselves that North Carolina will on this, as on former Occasions be nobly distinguished by patriotic Exertions in the great cause of Liberty and Posterity.¹

I have the Honor to be Sir with great Respect & Regard Your Excellencys most Obedt. & Hble Servt.

J.J.

LB (DNA: PCC, item 14).

¹ For this January 22 resolution calling upon North Carolina and Virginia "to press forward the relief formerly recommended by Congress to be sent from those states to South Carolina and Georgia," see *JCC*, 13:100-102. Jay also enclosed this resolve in a similar letter of this date to Gov. Patrick Henry of Virginia, which in addition was asked to send South Carolina "such part of the regiment of [*Virginia*] artillery . . . as may be spared." PCC, item 14, fol. 31.

John Jay to the Committee of Conference

Philadelphia 23d Jany. 1779

The President of Congress presents his Compliments to the Committee appointed to confer with General Washington &ca, and requests the favor of them to compleat, & transmit to him a State of the Intelligence ordered to be sent to Count D'Estaing as soon as they conveniently can—that a measure deemed so important may not be affected by any delay in the President's dispatches.¹

LB (DNA: PCC, item 14).

² See the response of the Committee of Conference to Jay, January 25, 1779.

John Jay to Benjamin Lincoln

Sir Philadelphia 23rd Jany 1779

The Importance which the acquisition of Georgia would be to the Enemy & the necessity there is of not only opposing their further Progress, but of expelling them from that State, call for the most vigorous tho' prudent Exertions.

The enclosed Copy of an Act of Congress of the 22nd Inst.¹ will inform You of the Measures taken by Congress to reinforce the Army under your Command.

Permit me to assure You of my best wishes that You may gather as many Laurels in Georgia as you reaped in New York.

I have the Honor to be Sir, with great Respect & Esteem, Your most Obedt. & Hble Servt.

J. Jay.

LB (DNA: PCC, item 14).

¹ See Jay to Richard Caswell, this date, note.

John Jay to Rawlins Lowndes

Sir, Philadelphia 23d Jany. 1779

Your Excellency will receive herewith enclosed two printed papers containing Copies of several Acts of Congress on the Subject of Finance.¹

As Georgia would be a valuable Acquisition to the Enemy, & for that and other Reasons a considerable Loss to the United States, every motive of Interest, Policy & Affection conspire to urge Congress to provide for the speedy Opposition & Expulsion of the Invaders.

The enclosed Copies of two Acts of Congress of the 22nd Inst. will inform You of the designs of Congress on this Subject.² I am persuaded it will be unnecessary to remind You that the most profound Secrecy ought to be observed with Respect to one of them; and for the same reason I forbear pressing your Excellency's immediate Attention to that Part of the Plan which Congress have requested the favor of You to execute.

I have the Honor to be, Sir, with great Respect, Your Excellency's most Obedt. & Hble Servant,
J. Jay.

LB (DNA: PCC, item 14).

¹ See Jay to Certain States, January 22, 1779.

² See Jay's letters to Richard Caswell and to the Committee of Conference, this date.

John Jay to William Phillips

Sir,

Philadelphia 23rd Jany. 1779.

Your favor of the 6th Inst. was this morning delivered to me & communicated to Congress. The enclosed Copy of their Resolution on the Subject matter of it specifies the Reason which restrains them from complying with your Request.¹

Permit me to assure You that my Endeavors shall never be wanting to render humanity a national Characteristic of these States, and I am persuaded that nothing but a contrary Conduct on the Part of their Enemies will ever reconcile Congress to the Exercise of a greater degree of Rigor than the necessary & immediate Objects of war may demand.

Whenever the present Objections cease, I shall be happy, Sir, to join in giving You higher Evidence of this disposition than Professions—& in the mean Time will chearfully promote every reasonable Measure for rendering your Situation as agreeable & happy as the nature of it will admit.

I am Sir, Your most Obedt. & Humble Servant, John Jay.

LB (DNA: PCC, item 14).

¹ JCC, 13:104. The January 6 letter of General Phillips, one of the Convention Army prisoners quartered in Sussex County, N.J., requesting permission to travel to New York for a leave of six weeks, is in PCC, item 57, fols. 345–48.

John Jay to George Washington

Sir, Philadelphia 23rd Jany. 1779.

I have had the pleasure of receiving and communicating to Congress your Excellency's Letter of the 21st Inst. respecting Coll. Rawlins.¹ Copies of two Acts of Congress of this day, one on that Subject, & the other refusing a Request of Major General Phillips to go to New York & ordering him to Virginia, are herewith enclosed.²

I have the Honor to be, with the greatest Respect & Esteem, Your Excellencys most Obed & hble Servt,
J.J.

LB (DNA: PCC, item 14).

¹ Washington's letter is in Washington, *Writings* (Fitzpatrick), 14:34-35, and PCC, item 152, 7:45-48.

² *JCC*, 13:104. In accordance with Washington's recommendation, Congress authorized Col. Moses Rawlings to recruit his dwindling regiment to the strength of three full companies and ordered them to Fort Pitt to reinforce Gen. Lachlan McIntosh.

Henry Laurens to Philalethes

Sir [January 23^d 1779] ¹

Perhaps it is of little importance to the present World as it will be "for the benefit of succeeding generations" to know from what motives or under what influence Mr. Laurens the late President of Congress submitted to continue in the Chair after the 31st October last, but since the circumstance has been alluded to & variously related in print by two writers without the previous consent or knowledge of that Gentleman, & by neither of them exactly stated, I will for your better information, recite to you in a few words, the fact.²

Mr. Laurens had frequently intimated to Members of Congress, his intention of retiring from the Office of President on the day above-mentioned when he should have served in it one year—he had as often expressed his approbation of the inhibitory clause in the 9th article of Confederation "that no person be allowed to serve in the office of President more than one Year in any term of three Years," & also his earnest desire to comply with it in the first Instance. Agreeably to these sentiments he put Congress in mind on the 31st October being Saturday, that his Years service would expire upon the adjournment of that day. He *humbly desired leave* to retire, & intreated the House to think of a Member to succeed him. After some debate or conversation it was determined, *without a vote*, to deliberate on the subject in the interval between the adjournment & the next intended meeting.

On Monday the 2d November Mr. Laurens, *not in the Chair*, but

being called upon to take it, moved the Members then present in the Congress Hall, to proceed to the election of a President, declaring his abhorrence of all affected disqualifying speeches, that he meant to offer none such, although he was persuaded there were Gentlemen on the floor better qualified for the Office than himself, but that he was extremely desirous, of being relieved, as well as of shewing a proper observance to the restrictive Proviso in the Articles of Confederation.

After some debate & conversation a Member suggested that it would be highly improper to proceed unless the President would take the Chair. Mr. Laurens replied that in his opinion, such formality was not necessary, nevertheless if Gentlemen thought it would be a means of facilitating business he would comply—when he had taken the Chair addresses & private Conferences ensued on the floor, altogether as impossible as it would be *unessential*³ to recapitulate; eventually an old & respectable Member⁴ who appeared to have been chosen & instructed for the purpose addressed the President in terms of assurance, that the House were entirely satisfied with his past services, & that it was their unanimous *request* he would continue to sit in the Chair until the Articles of Confederation should be acceded to by all the States, or at least, for some time longer. It was this honorary unanimous request, "*in which he acquiesced.*"

Permit me now Sir, to inform you how it came to pass, that this "unanimous request" was omitted on the Journal.⁵ The Secretary of Congress had prepared the form of an Entry for the purpose, which he laid before the President for his approbation or amendment; after a moments reflection Mr. Laurens replied to the Secretary, that an Entry was unnecessary, his sole view was to serve his Country, that he had no anxiety for obtaining complimentary Records. I will mention another circumstance, which will afford further satisfaction to a Lover of truth.

Although there was not a full Congress on the 2d November, yet comparatively & according to common acceptation, the House was not thin. This will appear by reference to the Journal.

The above, Philalethes, is a brief & true state of the Case in question, which will be confirmed to you by every Member who attended Congress on the 31st October & 2d November 1778, if you will take the trouble of appealing to them.

But I do not mean to charge either you or Common Sense with wilful or mischievous aberration from Truth.

The History of the miraculous feeding a multitude of four or five thousand Persons [with a few] loaves & fishes is differently related by Mathew & Mark—yet both these Evangelists have been in full Credit throughout Christendom upwards of 1700 Years, and will continue to be so to the end of time.

I am Sir Your most humble servant.

PHILOPATROS.

FC (ScHi: Laurens Papers, no. 17). In the hand of Henry Laurens and endorsed by him: "To Philalethes on President Laurens' reasumption of the Chair 2d Novr. 1778."

¹ Laurens drafted this document in response to a letter written by "Philalethes" to the public "On the veracity of Common Sense," which appeared in the January 23 issue of the *Pennsylvania Packet*. Philalethes had nettled Laurens on the issue of his continuance as president of Congress after the expiration of his first year in office on November 1, 1778, a subject about which Laurens was more than a little sensitive. The issue had come to public attention in the context of Thomas Paine's attacks on Silas Deane, in the course of which Paine had casually asserted that Laurens had been reelected to a second term "by a unanimous vote." And Philalethes, in a recital of Paine's "Falsehoods," responded by explaining that since there had been no vote on the issue, Laurens could not have received an unanimous one. On the evidence of a long explanation "Concerning the Publication by Philalethes" written by Laurens' son John a few months later, Laurens apparently wrote this letter in the hope that Philalethes, whose knowledge of the matter was admittedly second-hand, could be persuaded to endorse its publication in the interest of setting straight the public record.

Philalethes' identity as Col. John Parke also rests primarily upon the testimony of John Laurens, who both conversed and corresponded with Parke on the subject several times, although Thomas Paine publicly asserted in a response to Philalethes printed in the *Pennsylvania Packet* on January 26 that he had been told that his opponent's name was Parke. Learning from Alexander Hamilton that Parke was "Concerned in the publication in favor of Mr Deane," John Laurens showed the colonel this "true Narrative" of the event in question drafted by his father, and was immediately informed that the piece was unobjectionable. According to young Laurens, Parke even "promised to publish it," reserving only the right to show it to a member of Congress to ascertain its accuracy. When Parke's informant, William Duer, conceded that "it need not be altered," John assumed that it would soon be printed, and apparently it was not simply because both Parke and John soon left Philadelphia. John Laurens' account of this episode is in the William Gilmore Simms Collection of Laurens Papers, item 32, MHi. For additional evidence of Duer's involvement in Silas Deane's public defense, see James Duane to Robert R. Livingston, January 3, 1779, note 3.

² For Laurens' failure to step aside as president of Congress at the expiration of his first year in office, see also Charles Thomson's Draft Resolution of Congress, October 31; and the second set of Laurens' Notes on his Resignation, December 9, 1778, note 2.

³ Laurens wrote "unessential" over "unnecessary" but left both words standing.

⁴ Samuel Adams.

⁵ See Charles Thomson's Draft Resolution of Congress, October 31, 1778.

Committee of Conference to George Washington

Sir, Sunday 3 oCl PM [January 24, 1779] ¹

When I have the Honour of seeing your Excellency I will explain the Objection made in Congress to the plan for establishing the Department of Inspector General. It holds up the Idea too strongly of *seperate departments* which, as they have been conducted imply an Independence of the Commander in Chief, & are in other respects productive of Inconvenience & Expence. And it assigns too high a

Rank to the assistant Inspector General in the opinion of some of the members of Congress. That we may know your Excellency's Opinion on these points & particularly whether there is a necessity for the Rank recommended are the principal motives for the Reference.²

The enclosed Dispatches from the Commissy. Prisoners require immediate Attention.³

If it will be convenient I shall be glad to spend a few minutes with you at any Time you shall appoint after four oClock.

I have the Honour to be—with the utmost Respect, Sir, your Excellency's most Obedient humble Servant, Jas. Duane

RC (DLC: Washington Papers). Written and signed by James Duane. Endorsed: "Philade—from Jas Duane Esq. Chairm. Comm. Conference."

¹ Although undated, this letter was probably written by Duane on January 24, the day after Congress referred to the committee a Board of War report on the Inspector General's Department and a letter from Commissary of Prisoners John Beatty, both subjects discussed in this letter.

² Congress agreed to a detailed plan for the Department of Inspector General on February 18 that specifically subordinated the inspector general to the commander in chief and the subinspectors to unit commanders. See *JCC*, 13:111–12, 196–200.

³ See *JCC*, 13:104.

William Ellery to John Sullivan

Dear Sir,

Philadelphia Jany. 24th 1779

I received yours of the 15th of December, and have since found that the sentence of the court martial on Crossing & his associates answer'd my expectation.¹ The Court could not have done otherwise consistent with Law and justice; but it seems there is danger of retaliation in case the sentence should be executed. I should be very sorry if the execution of that infamous traitor, should occasion the death of any especially of a worthy whig. Genl. Prescott I find by your last letter to Congress on this subject is very solicitous to preserve the lives of Crossing & Phillips. His Aid, if I remember right, told you that they both had Commissions. If this should be the case: If they had commissions from the K[ing] of Britain previous to their kidnapping Almy &c. it would make a material alteration in their Cases; but I doubt this very much. If they had commissions why were they not produced at their trial: certainly there was time enough for that purpose, between the capture and trial; and why did not the Aid bring them to Providence? If Genl. Prescott will declare bona fide that they had those Commissions previous to their kidnapping expedition, and exhibit them to you, I should give some Credit to such declaration & exhibit; but I must confess I am not satisfied with the Story of his Aid. The proceedings of the Court-martial are committed, and I am one of the Committee. I should chuse to have fuller

light, than I have at present, before I can give Judgment: Therefore could wish, if you should receive any further information, that you would communicate it to Congress.

Before this reaches you, you will doubtless have heard that the enemy consisting of about 2500 have taken possession of Georgia. Our accounts respecting this matter are confused. A few days since I saw a late Charlestown paper which advises that 6 sail of Count De Estaings Squadron were spoke with off Deseada, and that they had taken & sent into Martinico 7 transports with Troops from N. York bound to the W. Indias. That 2 transports with 300 Green-Coats on board had, under Convoy of the Camilla & Galatea, arrived at Bermudas, & that as many more were to follow them. (I have since heard that they were invalids and were sent to garrison that place.) The same paper mentions that a Vessel (which left Calais the 17th of November) had arrived at Charlestown and brot account that there had been no engagement between the French & British fleets and that Ld. Sandwich was put into the Tower.

I saw lately at Stephen Collins where I lodge a pretty young woman, who told me that her Husband Francis Brindley,² who was a first Lieutenant in Abraham Livingston's Company, was dangerously wounded in the battle of Portsmouth, that She had heard nothing from him since she received that information, and desired that I would be so kind as to write to you on this Subject. Now, Sir, as I strongly suspect that you are, at least, as fond of obliging pretty women as I am, let me request you, Sir, in her behalf to make inquiry after this same Francis Brindley and let me know whether he is dead or living. I shall be also much obliged to you if you would inform me what Number of Vessels of War the enemy destroyed in our State during your expedition agst Rhode Island; the present State of your and the enemy's Army &c. For doing this you will much oblige, Yr most humble Servant,

William Ellery

RC (DLC: Force Collection).

¹ For further information on the court-martial of "Crossing & his associates," see Henry Laurens to John Sullivan, January 5; and William Ellery to Sullivan, March 30, 1779.

² Francis Brindley, who had been appointed a first lieutenant in James Livingston's First Canadian Regiment, December 18, 1776, survived to retire from the army in 1781. Heitman, *Historical Register*, p. 99.

Committee of Conference to John Jay

25th January 1779.

It appears that a detachment of the Enemy's Troops by no means inconsiderable have possessed themselves of Savannah the Capital of

Georgia. Their numbers cannot be ascertained, but it is between 2500 and 5000. Their Naval force is by no means considerable, consisting of a 50 and 40 gun Ship, two sloops of war and some gallies. By this Stroke they are in capacity more effectually to defend their possessions in East Florida, to annoy the southern parts of South Carolina, perhaps in a favorable moment to attack Charlestown.

They will draw from Georgia immense Supplies of provisions for their troops in America and the Islands. Their cruizers will shut up the navigation of South Carolina, and not only possess themselves of the property at sea intended for that State, but what is of greater importance totally prevent the sending of rice from thence for the use of our Allies in the Islands. It is a melancholy truth that little dependence can be prudently placed on the wheat and flour of the more Northern States until the next harvest. But however great the advantages above Stated they derive one of far more value considered on a general Scale. The riches of Mexico and Peru are in a manner locked up, unless the southern extremities of America, and the Bahama Islands can be wrested from their possession, and it is highly probable that the expedition takes its rise from the apprehension of a war with Spain. While we lament the inconveniences which will be felt from the loss of Georgia, we cannot but derive pleasure from a consideration how much they have exposed themselves—should the Situation of affairs in the Islands permit such detachment from the combined fleets of France and Spain, or either of them as would prevent their escape by sea, while a body of good French or Spanish thrown in some favorable Situation between Savannah and Augustin would prevent their retreat that Way until the force now assembling in Virginia and the Carolinas could be collected to operate against them with effect. On a view of these circumstances it appears extremely probable that the consequences of the measure would be not only the destruction of that detachment of the Enemy's force, but the possession of all those ports which secure the navigation of Mexico and gulph of Florida, the essential advantages of which during the future operations of the war are too evident to need illustration.

The above paper ¹ agreed to in Committee of Conference with the Commander in Chief and directed to be delivered to the President of Congress, as the substance of intelligence respecting the invasion of Georgia.

Jas. Duane for the Committee

Tr (Archives nationales: Marine B⁴ 168).

¹ This is clearly a copy of the "state of the Intelligence" concerning the British capture of Georgia that was prepared by the Committee of Conference and General Washington at the request of President Jay following Congress' January 23 decision to seek French aid in recapturing Georgia. James Duane, who signed this intelligence report as chairman of the committee, had also drafted the resolution of Con-

gress to seek French aid. See *JCC*, 13:102; and John Jay to the Committee of Conference, January 23, 1779. For discussion of this subject by Conrad Alexandre Gérard, who forwarded this copy of the report to Paris in his January 28 letter to the French foreign minister Vergennes, see Meng, *Gérard Despatches*, pp. 491–98, 504–5. See also Committee of Congress Proposed Letter to Gérard, January 29, 1779.

John Fell's Diary

[January 25, 1779]

25th Monday. Commercial Committee 9 oClock. Congress Motion to call Robt Lettice Hooper to acct. for having several Brigades of Continental Waggons Loaded with Flour and Iron, on Private Account, the General requested to call a Court Martial;¹ Bounty of 20 Dolls besides the 80 offered before with Land and Cloathing and to the Officer for Inlisting 10 Ds at Camp and 20 abroad and 3 Ds a Day,² Wm Bedlow, Auditor.³ Committee on Genl Lincolns Letter, Laurens, Root & Lee. Johnson Smiths complaint agst. Coll. Flowers at Carlisle, Committee Roberdieu, Dyer & Hill. 6 P M Committee on foreign Affairs Mr. Whipple Chairman.

MS (DLC).

¹ This motion, embedded in the report of a committee investigating the conduct of former quartermaster general Thomas Mifflin, had been adopted by Congress on January 23. *JCC*, 13:106–7. As this motion and the following two items of business recorded by Fell were debated on January 23, it is clear that this entry is flawed. For the apparent origin of the error committed here, see Fell's diary entry of January 22–23, 1779.

For further information on the investigation into Robert L. Hooper's misdeeds, see these *Letters*, 9:123–25n. 2, 10:57–59.

² These enlistment bounties had been specified in a resolve Congress had adopted on January 23. *JCC*, 13:108–9. For additional enlistment proposals which Congress deferred action on at that time, but which may have been discussed again on the 25th, see *JCC*, 13:109, 298–99.

³ Although Bedlow's appointment may have been debated on January 23 when Congress agreed to appoint an additional auditor of accounts, he was not actually appointed an auditor until February 9, 1779. *JCC*, 13:112–14, 156.

Committee for Foreign Affairs to Arthur Lee

Sir (Triplicate) Philada. Janry. 26. 1779

The inclosed Information is of singular Importance to you.¹ I therefore forward it instantly Via Boston,² and will add some further if the Post is not too quick for me. Your most humble Servant,

James Lovell, for the Commtee for for. Affrs.

RC (ViU: Lee Family Papers). Written and signed by James Lovell.

¹ The information of "singular importance" is almost certainly the information transmitted by Virginia governor Patrick Henry and laid before Congress this day by the Virginia delegates alleging that Arthur Lee's secretary, Rev. Hezekiah Ford, was "an enemy to the American cause of independence." *JCC*, 13:116. An extract of Henry's letter to the Virginia delegates, dated January 9, 1779, is in the Lee Family Papers microfilm, ViU.

Governor Henry charged Ford, a former Anglican minister in Virginia, with sedition and counterfeiting American money in 1776-77 before fleeing to the British warship *St. Albans*. Long before Lovell's "enclosed information" could reach France, Ford had left carrying dispatches for Congress from the American commissioners. Ford arrived in Virginia on August 1, 1779, and he was ordered to Williamsburg to answer the charges before the governor and council. In his own defence, Ford explained that he had been captured by the British while serving as a chaplain to a North Carolina regiment and taken to England, from where he made his way to Paris and ultimately became Arthur Lee's private secretary. Whatever the truth of Ford's story, he had not appeared in Philadelphia when James Lovell again wrote to Arthur Lee on September 17, 1779, and his trail thereafter disappears from view. See Wharton, *Diplomatic Correspondence*, 1:539-40; Lee, *Letters* (Ballagh), 2:42, 112-13, 116, 119, 122, 145, 152, 157; Adams, *Diary* (Butterfield), 2:364n.3, 366-67; Committee for Foreign Affairs to Arthur Lee, January 29; and James Lovell to Arthur Lee, September 17, 1779.

² Lovell enclosed this letter to Lee in the following brief letter this date to the Eastern Navy Board: "Your favor of Decr 30th demands my thanks. I beg you would be pleased to forward the enclosed to France by the first opportunity." *PCC*, item 79, fol. 246.

Committee of Congress to Joseph Reed

Sir

Philadelphia Jan'y 26th. 1779

Mr. Root Suggested to a Committee ¹ to whom Congress have referred a report of the Committee of Appeals relative to the Case of the Sloop Active, in which it seems the State of Pennsylvania have Some political as well as pecuniary Interest, that you are desirous that some arguments or documents should be offered to them on behalf of the State before their Report is concluded on. The Committee are desirous of clearly understanding your wishes, and have every disposition to comply with them. I request you therefore to let me know them particularly that I may open them at our next meeting.²

The Committee is not appointed to review the Decree of the Committee of Appeals, but to State the principles of their power, and the reasons for the Judge's refusing to Execute, and they are to report Specially.³

I am Sir with all due Respect, and personal regard, your Obdt
Servt,

Tho Burke

¹ This committee, comprised of Burke, William Floyd, Samuel Holten, William Paca, and Jesse Root, was appointed this day to confer with Pennsylvania president Joseph Reed and the Pennsylvania Council on the subject of Reed's January 25 letter to President John Jay. Although Reed's letter has not been found, it clearly dealt with Congress' reversal of the Pennsylvania Prize Court decision in the case of the sloop *Active*. *JCC*, 13:115. For a discussion of this case and its implications for the authority of Congress and Pennsylvania, see the Committee on Appeals Decree, December 15, 1778.

² Reed's January 28 reply to the committee is in *Pa. Archives*, 1st ser. 7:170.

³ The committee did not submit its report until March 6. The report staunchly affirmed the right of Congress to review decisions of fact as well as law in appeals from state prize courts and asserted the supremacy of Congress in all questions of war and peace including the legality of captures on the high seas. See *JCC*, 13:281-86; Committee of Congress to Reed, January 28; and Thomas Burke to Reed, March 12, 1779.

William Ellery to Christopher Ellery

Dear Brother,¹

Philadelphia Jany. 26th. 1779

Agreeably to your request I now remit to you Mr. Redwood's two bills of exchange one dated Jany. 28, 1778 for two hundred pounds Sterling on Oliver & Lovell, the other dated Jany. 29th, 1778 for one hundred pounds Sterling on Trecothick & Apthorpe; and Mr. Redwoods two letters respecting them; Also three bills drawn by Nathl. Appleton in your favour on the Commr. in Paris, one for 24, & another for three hundred dollars & the third for 60 dollars, also your memorandum. I also send you two second bills of exchange drawn by Thomas Smith Commr. of the Contl. Loan-Office in this State in your favour on the Commissioners at Paris, one for 60, the other for 12 dollars, all which I wish safe to your hand. I have sent the latter because you may have an opportunity to send them via Boston, and chuse to do it. You will find upon examining my letter to you of the 14th Novr.² that I made no mistake. That you specified in your letter two bills which were not deliver'd to me. I suppose they were those you received of Mr. Clarke. I could not write you that you had not given me Mr. Redwoods 2 Bills on London, because they were before me when I wrote. However, all now is right. I shall embrace the first good opportunity for France. I expect an Auditor of the Army will be appointed for the army in our State, and that the Council of War in our State will have the appointment of him. I believe his pay will be five or Six dollars per day. If you should think such an office will suit you, you must keep a good look out. I am not, you may rely upon it, unmindful of you, and should rejoice to do you any service.³ When the war will end I know not; but I hope it will not extend beyond this year at farthest. It will end sooner if the divine Provi-

dence should remove from British Councils that infatuation which hath so long prevailed in them; but quos Deus vult perdere prius dementat.⁴ Present my best Regards to your wife & Children and believe me to be, Yrs affecty,

Wm Ellery

RC (PHi: Dreer Collection).

¹ Probably Christopher Ellery, younger brother of William, who was a deputy in the Rhode Island Assembly, 1777-78, and a justice of the Court of Common Pleas, 1777-78. Bartlett, *Records of R.I.*, 8:218, 220, 386, 388.

² Not found.

³ Although Christopher was not appointed an auditor of the army, he was later nominated as a commissioner of the Board of Treasury, but again failed of appointment. *JCC*, 15:1241, 1251.

⁴ "Those whom God wishes to destroy he first makes mad." A common Latin quotation derived from Euripides.

Oliver Ellsworth to Theodore Hinsdale

Revd & dear Sir ¹

Philada. Jany 26, 1779

Your kind letter of the 29 Decr. I have recd. & sincerely thank you for.

I am waiting, Sir, as well as you, tho' perhaps with less concern & more doubt, to see how the great events now taking place in the world will affect the moral State of it. Whatever light you may obtain in this matter from prophecies, I confess I have none from Congress nor the book of nature. Of this only I am satisfied, that whatever be the design of Providence in this respect, the powers at war have very little design about it & terminate their views with wealth & empire, leaving religion pretty much out of the question.

With regard to the court of France, in particular, if I am rightly informed, they have themselves no religion at all; & care much less than in former reigns, what or whether any the nation has. They are shifting their policy from superstition to dissipation. Paris, a place not of business, but enjoyment, is made the gayest city in the world & furnished with every amusement and gratification in the compass of nature, to draw together (& drain & drain) there men that from having property & time for brooding, might be dangerous in the country. A standing army does for the rest, & they have less & less occasion for popery. Nor do I apprehend there is any more danger of its (*visiting us*) spreading in this Country since the alliance than before. I wish I could add the same of Deism, which besides the advantage of high fashion, has its way paved by a dissolution of manners too incident to a state of war. But it is sufficient, dear Sir, that God governs the world, & that his purposes of Grace will be accomplished.

For my thots, on the present state of our political affairs, especially

on the state of our paper currency, I will refer you to a short piece you have seen or will see in Hartford paper under the signature of observator.²

How Mr. Deans address, after which you enquire, has been recd. by the publick I can give but little acct.—but sure I am it was unnecessary & injudicious; & I believe he joins with me in wishing it had never made its appearance.

In the personal interviews he had with Congress soon after his arrival from France, he had full opportunity to have criminated any of their servants if had thot there was occasion for it; nor has he at any time been precluded from doing it, or laying before Congress in writing any information he pleased on any subject whatever. It might have been expected perhaps that Congress should not so long have delayed a close of his examination & expressing their sense of his conduct abroad; & it has been truly unfortuate that any circumstances have concurred to render that delay necessary. Mr. Dean has now been fully heard personally before Congress, pursuant to their resolution passed & which he was made acquainted with, someday, before his publication, for a full enquiry into the State & negociation of their foreign affairs.

His attention to the business he was sent upon & skill & success in the execution of it are very apparent; & I will not say but every part of his conduct abroad is deserving of & will finally obtain the approbation of Congress and the publick.

I rejoice to hear that your & my father's family as well [as] people in general in your quarter, are favoured with so great a blessing as health, which I pray may be continued with the addition of all other blessings.

You will please to make my compliments to Mrs. Hinsdale, & believe me to be, Revd. & dear Sir, with much respect & esteem, your obed., humble Serv.

Oliv Ellsworth

MS not found; reprinted from Connecticut Daughters of the American Revolution, *The Ellsworth Homestead* (New Haven: Tuttle, Morehouse & Taylor Co., 1907), pp. 66–67.

¹ Rev. Theodore Hinsdale (1738–1818) was a Congregational minister in Windsor, Conn., the birthplace of Oliver Ellsworth. Franklin B. Dexter, *Biographical Sketches of the Graduates of Yale College*, 6 vols. (New York: Henry Holt and Co., 1885–1919), 2:749–50.

² See Oliver Ellsworth's *Thoughts on the Paper Currency*, January 20, 1779.

John Fell's Diary

Jany 26th, 1779

Tuesday, Commercial Committee 9 oClock. Congress, Letter from

President Read in Council complaining of Major Genl Arnolds conduct in using publick Waggons in Private affairs &c and of Indignity to their Body Referrd to a Committee of 5 vizt. Paca, Burk, Floyd, Holton & Root.¹ Instructions read to the Delegates of Pennsylvania, complaining of an improper arrangement in their State of Brigadier Generals, Referrd to the above Committee. 6 P M attended the Committee on foreign affairs. A most miserable Rainy bad Night.

MS (DLC).

¹ See John Jay to Joseph Reed, January 27, 1779.

Marine Committee to the Eastern Navy Board

Gentlemen

January 26th 1779

Congress have lately granted 150,576 Dollars for the use of your Department in Warrants as follows, viz.¹

On the Continental Treasurer for 50,000

On John Laurence Esqr Commissioner of the Continental Loan

Office in the state of Connecticut 100,000

On James Warren Esqr Boston—for 576

150,576 Dollars

The two last Warrants are indorsed in your favour and we shall send you the Money for that on the Treasurer by the first opportunity. We are Gentl, Your Hble Servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

¹ See JCC, 13:72-73.

Gouverneur Morris to George Clinton

Sir,

Phila. 26th Jany., 1778 [1779]¹

Permit me to recommend to your Excellency's favorable attention and thro you in such manner as you may think most proper to the Legislature an application of the Bearer of this letter.² From the conversation I have had with him on the subject his design appears to me well calculated for the purpose of serving in some Degree our Western Frontier and consequently enriching the intermediate country. It hath also the immediate effect of procuring a number of good industrious subjects. Perhaps I should not go too far in saying that every man so acquired would be worth two. To state or enlarge on his plan would be absurd as he will personally have the honor of conferring with you. I have only to say that the honorable stars he gained

at Bemis' Heights will be a better recommendation than I can give. As a Representative of the State of New York I think I do my Duty in forwarding the Views of one who is so much its Friend.

I have the Honor to be most respectfully, Your Excellency's most obedient and humble servant,
Gouv. Morris.

MS not found; reprinted from New York Historical Association, *Proceedings*, 6 (1906): 158.

¹ This letter is erroneously dated. The British still occupied Philadelphia in January 1778 and the letter concerns an early 1779 development.

² The "bearer of this letter" was certainly Benedict Arnold, who in early 1779 planned to profit from a land settlement scheme in western New York. Arnold left Philadelphia for New York in early February, but he quickly returned when word of the Pennsylvania Council's charges of malfeasance reached him at army headquarters in Middlebrook, N.J. Arnold never met with the New York governor or legislature and this letter was not delivered to Governor Clinton. See New York Delegates to George Clinton, February 3, 1779; and James T. Flexner, *The Traitor and the Spy: Benedict Arnold and John André* (New York: Harcourt, Brace and Co., 1953), pp. 242, 244-46.

John Fell's Diary

[January 27, 1779]

27th Wednesday. Commercial Committee 9 o'clock. Congress. Sundry Letters read, Long debates about the Marquis of Britagnies Instructions.¹ 6 P M Committee on foreign affairs.

MS (DLC).

¹ That is, concerning the dispatches that Bretigny was commissioned to deliver to the comte d'Estaing in the West Indies, for which see *JCC*, 12:117-18; and Committee of Conference to John Jay, January 25, 1779.

Foreign Affairs Inquiry Committee Minutes

[January 27, 1779]

27th made a committee. Present Whipple, Duane, Fell, Searle, McKeen, Paca, Burke.

Reced Mr. Deans instructions from the Committee of secret Correspondence—& several Letters from Mr. Dean then in France—dated as follows.¹

1776. Octor. 1 to the Committee

8 Do.

17 Do.

17 to Mr. Bingham at Martinico

25 to the Committee.

Then adjourn'd to tomorrow Evening.²

MS (Capt. J. G. M. Stone, Annapolis, Md., 1974). In the hand of William Whipple.

¹ These letters are printed in Wharton, *Diplomatic Correspondence*, 2:78-80, 153-57, 167-69, 173-75, 183-84; and *Deane Papers* (NYHS Colls.), 20 (1887): 123-26.

² For the continuation of these proceedings, see the following entry.

Foreign Affairs Inquiry Committee Minutes

[January 27, 1779]

27th. Present Whipple, Ellery, Fell, McKeen, Paca, Searle, Burke, Langworthy.

Letter from Mr. Carmical to the Committee dated at Amsterdam Novr 2 1776.¹

Letter from Mr. Deane Paris Novr 6 to the Committee mentions 200 p[ei]ce[s] Brass artillery & Granted his request.

Letter from S.D. to the Committee, Paris Novr. 9th 1776 complaining of not receiving intelligence.

Novr. 26. Do to Do.

Another, the same date

27. Do—Do.

28. Do—Do. acknowledging the receipt of letter 7th Augt. inclosing copy of 8th July with Declaration of Independence. give an accot. of a memorial (consisting of 50 pages) to the King of France—this letter is Miscellaneous.

Novr. 29. Do. Do. acknowledges great obligations to Mr. Beaumarchais.

Another of same day recomdg. Col Conway in the strongest terms. Decr. 1. on finance proposing doing several wild schemes.²

MS (Capt. J. G. M. Stone, Annapolis, Md., 1974). In the hand of William Whipple.

¹ This and the following letters examined by the committee this day are printed in Wharton, *Diplomatic Correspondence*, 2:184-92, 194-209.

² For the continuation of these proceedings, see the committee's minutes, January 28, 1779.

John Jay to Joseph Reed

Sir,

Philadelphia 27th Jany. 1779

I have the pleasure of acknowledging Receipt of two Letters from your Excellency—one of the 23d, the other of the 25th Inst.¹ Congress have ordered the Papers respecting Mrs. Levy to be returned to You; ² and referred the complaint against Genl. Arnold to a special Committee who are directed to proceed immediately on the Business, & confer with your Excellency, & the Council on the Subject.³

I have the Honor to be, Your Excellency's most Obedt. and Humble
Servant,
John Jay, Presidt

RC (NHi: Reed Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

¹ Pennsylvania President Joseph Reed's letter of January 22, which was read in Congress on January 23, is in PCC, item 69, 1:583. His January 25 letter, which was read and referred to a special committee on January 26, is not in PCC, but a draft is in the Joseph Reed Papers, NHi. *JCC*, 13:105, 115.

² Pennsylvania officials had long been frustrated over the exercise of Continental authority within their borders and especially with the imperious conduct of the military commander of Philadelphia, Gen. Benedict Arnold, and his staff. "The Papers respecting Mrs. Levy" related to an episode that had occurred in October, when Arnold's aide Maj. Matthew Clarkson had issued a pass to Miss Hannah Levy to cross the enemy lines to go to New York. Such passes, Pennsylvania correctly contended, were to be issued by "the executive powers of the State to which they [persons 'desirous of going within the enemy's lines'] belong." This procedure had been expressly stated in a resolution of Congress of August 21, 1778, and in preparing to proceed against Clarkson for violating this resolve the Pennsylvania Council was marshaling evidence for their case. Thus when the "Papers" requested were returned by President Jay with this letter, the council requested Clarkson to attend an inquiry. And when Clarkson refused, contemptuously denying the council's authority to question him, they submitted charges against him in a January 29 letter signed by Joseph Reed, for which see *JCC*, 13:131-32; and PCC, item 69, 1:587-600.

For the outcome of Pennsylvania's case against Clarkson, which finally led to a congressional reprimand in March, see John Fell's Diary, March 24, 1779. For a number of other documents related to Clarkson's conduct, see also *JCC*, 11:825, 12:1026, 13:247-50; PCC, item 19, 1:111-16; and Francis Lightfoot Lee to Richard Henry Lee, December 22, 1778, note 1.

³ For Congress' proceedings in the much more significant case against General Arnold, see Daniel Roberdeau to Timothy Matlack, February 6; and William Paca to Joseph Reed, March 3, 1779.

John Jay to George Washington

Sir, Philadelphia 27th Jan'y 1779.

Your Excellency's Letter, of this day, was this morning communicated to Congress, & immediately taken into consideration. By the enclosed copy of an Act, on the Subject of Captain Stoddard's request, You will perceive that it is granted.¹

Your Excellency's Recommendation respecting Provision for the speedy recruiting the Army is referred to the Treasury.²

The Congress have, by Acts of the 22nd & 27th Inst, (Copies of which are also enclosed) directed the Marquis De Bretigny to repair to Count D'Estaing. They have granted him a Commission of Lieutenant in the Service of the United States, and recommended him to your particular Notice.

Should Your Excellency have any dispatches for the Count, I will,

with pleasure, place them under the same cover with my own. The Marquis will not sail to morrow.

I have the Honor to be with the greatest Respect & Esteem, Your Excellency's most Obedt. Servt.

John Jay

RC (DLC: Washington Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

¹ *JCC*, 13:117. Washington's January 27 letter enclosing a letter from Capt. Josiah Stoddard of the Second Continental Dragoons is in Washington, *Writings* (Fitzpatrick), 14:48–49. Stoddard's January 14 letter, "requesting leave of absence to go to France for the recovery of his health," is in *PCC*, item 152, 7:41–44.

² Washington had asked Congress "to give directions to have the military chest supplied with a sufficient sum of money to enable me to carry into execution their resolve of the 23d instant for recruiting the army." The Board of Treasury apparently queried Washington almost immediately on the amount of bounty money needed, for he responded on January 30 with his estimate "that Five hundred thousand Dollars will in my opinion be a sufficient foundation to commence upon." See *JCC*, 13:108–9, 117; and Washington, *Writings* (Fitzpatrick), 14:48, 56.

Daniel Roberdeau to Joseph Reed

Sir,

Philad'a, Jan'y 27th, 1779.

Yesterday the enclosed Resolution obtained, but hurry of business on the affairs it alludes to, and others respecting this State, was the occasion of my omitting to forward the enclosed before.¹ I am with most respectful salutations to Council, Sir, yr most obt & very humb. Servt,

Daniel Roberdeau.

MS not found; reprinted from *Pa. Archives*, 1st ser. 7:167.

¹ For the enclosed resolve appointing a committee of Congress to confer with the Pennsylvania Council on the subject of Gen. Benedict Arnold's use of public wagons for private gain, pursuant to a January 25 request from the council, see *JCC*, 13:115. According to the council's proceedings, this committee met with the council this day in "a free conference . . . for several hours." *Pa. Council Minutes*, 11:677.

Committee of Conference to George Washington

Sir,

Philad. 28 Jany 1779.

I found myself so much indisposd this morning that it was imprudent to go abroad; which will I hope apologize for my not meeting the Committee of Conference at your Excellency's Quarters as was proposed.

General Knox has paid me a Visit and given me an opportunity of comparing his Remarks with the propositions of the Board of War.¹ I am not sufficiently master of the Subject to decide; & must therefore

without giving any Opinion of my own submit it to Your Excellency & the Committee, who I presume will think it necessary to meet for the purpose in the Evening.

Col. Armand has favoured me with the enclosed Letter respecting his Corpse. I take it for granted Congress will Submit the formation of a Plan respecting the independent Corpses, including each of the 16 Regiments as were raised, to your Excellency. I know not how it is possible, any other way, to obtain an Arrangement which must depend on a Variety of Circumstances, and is encompassed with many difficulties.

I do not know what progress has been made by the Committee of Arrangement, tho' I think it necessary that your Excellency should be furnished with every thing they have done, or had in Contempl[atio]n as far as appears from their papers in the War office.

Col. Armand seems at present to be contented with his separate Corpse, tho' averse to an Inco[rpo]ratio[n] with Count Pulaski's. If the latter takes place it seems to be his Intention to go to South Carolina as a Volunteer; & therefore is pressing for a decision before your Departure. In my opinion he has a Claim to our Attention. Every thing, which is consistent with the publick Service, ought to be done for him.² I have the Honour to be—with the utmost Respect—Sir, your Excellency's most Obed. humble Serv,

Jas. Duane

RC (DLC: Washington Papers). Written and signed by James Duane.

¹ Gen. Henry Knox, commander of the Continental artillery, had apparently conferred with Duane on the proposed regulations for the Ordnance Corps that were ultimately adopted on February 18. *JCC*, 13:201–6.

² For the difficulties that were encountered in Congress' attempts to deal with the requests of Col. Charles Armand-Tuffin, marquis de La Rouerie, for a promotion and permission to continue recruiting an independent corps, see John Jay to the Marquis de La Rouerie, February 5, 1779, note 1.

Committee of Congress to Joseph Reed

Sir

Philadelphia, January 28th, 1779.

I received your favor of this day, and laid it before the Committee.¹

We concur with you in every wish that the business referred to us may be discussed and decided upon principles of law, justice and reason, and know of none other than ought or can influence the Congress therein.

We have yet discovered nothing in the Business that can affect the temper or indanger the harmony which we believe subsists between Congress and the state of Pennsylvania.

We do not suppose that the general power of Congress to decide as the last resort in all cases of captures is denied or affected by the

opposition given by the Judge of admiralty in Pennsylvania in the case referred to us, the Judge has been requested to certify his reasons; he has declared that the law of the state has made the finding of a Jury conclusive in all matters of fact, without reexamination or appeal, and that he is precluded by this law from enforcing any decree contrary to the verdict of a Jury, he has offered arguments in support of his conduct, and the only question seems to be whether the municipal law of any one state can control or restrain the exercise of the power to decide finally on all cases of captures? This question ought, and we hope will be discussed and decided on principles of law, justice and reason, and we doubt not if it shall be found that the Legislature of Pennsylvania have mistaken or overlooked any principle, and through such mistake or Inadvertance have passed a law which has an injurious effect contrary to their expectation and wishes, the members composing it have too much liberality to persist, and too much temper and good sense to take offence at men who may be by their duty called on to decide. In short we none of us conceive this affair to have proceeded from any thing but those imperfections of human language and human understanding from which no rank or condition of men is exempt, and we have no apprehensions that any evil can arise from the result of the deliberations and decisions of Congress on it. We are exceedingly willing to receive every information possible on the subject, and have appointed to-morrow afternoon to hear whatever the parties may be pleased to suggest; the Committee will meet at the State House at six o'clock.²

I am Sir, with great esteem and respect, your very obed't serv't,
Thos. Burke.

MS not found; reprinted from *Pa. Archives*, 1st ser. 7:170-71.

¹ President Reed's January 28 letter to Burke, which dealt with the case of the *Active*, is in *Pa. Archives*, 1st ser. 7:170. See also Committee of Congress to Reed, January 26, 1778.

² For Reed's January 29 response to Burke, see *Pa. Archives*, 1st ser. 7:172.

John Fell's Diary

[January 28, 1779]

28th Thursday. Commercial Committee 9 oClock. Letter from Genl Lincoln, with 1400 Continental & Militia, Enemy Genl Campbell 4000, Letter from Genl How with 600. Letter from Govr Lounds desiring Frigates to be sent to So Carolina; Debate on the french Ministers proposal for Compensation if Count Estang goes to Georgia. 6 P M Committee on foreign affairs.

MS (DLC).

Foreign Affairs Inquiry Committee Minutes

[January 28, 1779]

28th Jany. Present Whipple, Ellery, Fell, Searle, McKean, Elsworth, Paca, Duane, Laurence, Burke.¹

Decr. 3 1776 from Mr. Dean to Mr. Jay.

Decr. 6th from S.D. to the Comtee proposing P. Ferdinand, Mars[hal] Bro[g]lie or some other eminent Military Character.

Decr. 12th 1776 from S. D. to the Committee advising of Dr. Franklins arrival at Nants & that he sent for Mr. Lee.

Nants. Dec 8th 1776 from Dr. Franklin to Committee advising of his arrival & ———.

Paris Jany 3d 1777 from A Lee to the Committee—refers to a letter by Mr Story—the stores short of the quantity, quallity and terms.

4th from Paris. B.F. to the Committee.

17th from B.F., S.D., A.L. to the Committee—join'd at Paris 22d Decr 1776, & on 28th had an audience of Monsr. DeVergennes, Secry. of State &c—cautioned the Committee respecting Peneat Plearne & Co.—an agreement with the Farmers Genl. for 20,000 Hhds Tobacco—an offer of 2 Million Livres without interest to be paid when peace is established. Postscript 22, have Received the 1st payment of the sum mentd, viz 500,000—also mentions agreeing for ships & ———.

Jany 20 from S.D. to Commtee.

Paris Feby 6 1777 from B.F., S.D., A.L.—arrival of Mr. Hodge. Mr. Lee to go to Spain & some thots of Ds going to Holland.

Paris Feby 8 from B.F. & S.D.—mentions intelligence from London inclosed.

Nants Feby 11 1777 from A.L. to committee.

Do Feby 14 from Do to Do—mentions an agreement of T. Morris with the Farmers Genl.

Paris March 4th 1777 from B.F. & S.D. to Committee

Burgos in Spain March 8th 1777 from A.L. to Committee

Nants March 11 1777 from J. Williams to Committee

21st P.S. from Do to Do.²

MS (Capt. J. G. M. Stone, Annapolis, Md., 1974). In the hand of William Whipple.

¹ All of the following letters reviewed by the committee this day—except for Jonathan Williams' March 11, 1777, letter to the Secret Committee—are printed in volume two of Wharton, *Diplomatic Correspondence*, 2:212–80, *passim*. Williams' letter is in PCC, item 90, fols. 545–46. A three-page list of these letters, written by Henry Laurens and containing brief summaries of their contents, is in the Laurens Papers, no. 30, ScHi. It is endorsed by Laurens: "Minutes from foreign Letters. Committee of 13–28 Jany. 1779. PM."

² The following entry in these minutes of proceedings reads: "Jany 29 1779. Present Whipple, McKean, Paca—not being a committee did not proceed to business." For the continuation of these proceedings, see the committee's minutes, February 1, 1779.

Committee for Foreign Affairs to William Bingham

Sir

Philada. Janry 29th 1779

Herewith will be delivered to you a Packet for the honble. Doctr. Franklin with 2 Vols. of the Journals of Congress and a large course of News papers, which you are requested to forward by the first good opportunity. You may examine these Prints if you incline, though I shall put another set for you on board a Vessel now ready to leave the Delaware.¹

The circumstances under which Capt. Cunningham sails in the *Revenge* are not known here exactly though Mr. Deane and Mr. Carmichael are on the spot. The intentions of the former as to the Sale of her were not confirmed by his Colleagues in France; but yet I do not see how the Request of your Letter of Aug. 16th in regard to her prizes can be taken up; as Mr. Cunningham into whose hands the Product is committed has never informed Congress that he possesses any of their *Property*. I wish you would gain and transmit the true state of facts relative to the outfit and present Claimants of that Vessel.²

A large Committee of Congress is now considering the whole state of their foreign affairs. I wish the Result may include a notice of your merits in an Arrangement more suitable to your wishes than what a Continuance in your present station seems to appear.

I am with much Regard, Your Friend & humble Servt.

James Lovell

for the Committee for for. affairs

RC (PHi: Gratz Collection). Written and signed by James Lovell.

¹ Lovell sent these newspapers for Bingham under cover of the following brief note the next day: "I now send you the News papers which I promised yesterday to forward by a second Vessel, and continue your Friend & humble Servant." PCC, item 79, fols. 248-49.

² "The true state of facts relative to" the *Revenge* was difficult to ascertain because of the tactics that had been used to disguise her ownership in France to circumvent British diplomatic efforts to have the privateer banned from French and Spanish ports. Although Capt. Gustavus Conyngham had enjoyed remarkable success against British shipping in early 1778, he had sailed the *Revenge* to the West Indies in September when Spain had finally succumbed to British pressures and banned the cutter from Spanish ports. And before Bingham could respond to this query from the committee, Conyngham decided to sail for Philadelphia, where the *Revenge* arrived on February 21, 1779. Three weeks later Congress simply ordered the Marine Committee to sell the vessel at public auction, apparently to expedite settlement of a number of conflicting claims that had been lodged against her. The result was to sweep under the carpet a potentially explosive issue that partisans of Silas Deane wished to lay to rest, for one of the charges lodged against him was the manner in which he had used public resources for private gain, and the confused status of the *Revenge* was a matter that had aroused the suspicions of Arthur

Although Bingham's response to the committee's request for true "facts" in this case has not been found, his January 27, 1779, letter addressed to the Secret Committee indicates that he enclosed with it "Acct. Sales of the several Prizes sent in here [Martinique] by the Continental Cutter the Revenge." Lloyd W. Smith Collection, NjMoHP. Transcripts of Bingham's letters to Conyngham of October 28 and November 29, 1778, and February 2, 1779, are in the Laurens Papers, no. 31, ScHj.

For information on Conyngham's career with the *Revenge* and references to a number of the issues confronted by Congress in regard to her, see Nathan Miller, *Sea of Glory: The Continental Navy Fights for Independence, 1775-1783* (New York: David McKay Co., 1974), pp. 290-301; M. B. Clark, "Narrative of Captain Gustavus Conyngham, U.S.N., While in Command of the 'Surprise' and 'Revenge,' 1777-1779," *PMHB* 22 (January 1899): 479-88; *JCC*, 12:1256, 13:25, 236, 307; and Marine Committee to Joseph Reed, March 12, 1779.

Honble Sir, Triplicate Philad. Janry. 29th. 1779

By the Way of Martinique I send you a large Course of News Papers. In those of late date, you will see that the Enemy are exerting their force but too successfully against Georgia. We hope the Count D Estaing will be able to operate with us by a Detachment from his Fleet, so that we may wrest from our Foes the Fruits of their present Success: You will know by Letters from Martinique whether those our Hopes are well or ill founded.

We have not had a Line from you since the short Letter of Information respecting Byron's sailing, which you signed jointly with Mr Adams. I hope this does not arise from any other circumstance than want of a good Conveyance for important Dispatches. We have had a few short Letters with Gazettes from Mr. Adams. Late as it is, I inclose a duplicate of your Credentials, and I wish you Success & every Satisfaction in your important Agency, being with much Respect,
Sir, Your most humble Servant, James Lovell
for the Comtee. of for. Affs.

RC (PPAmP: Franklin Papers). Written and signed by James Lovell.

Committee for Foreign Affairs to Arthur Lee

Sir, Copy Philada. Janry. 29th. 1779
What I could not add to my Letter of the 26th Via Boston, I now

inclose.¹ It will explain to you all we know here in regard to your Secretary Ford.

I am affectionately your Friend,

James Lovell
for the Comtee. of for. Affairs

RC (ViU: Lee Family Papers). Written and signed by James Lovell. This letter is appended to the "Triplicate" of the Committee for Foreign Affairs' January 26 letter to Arthur Lee.

¹ See Committee for Foreign Affairs to Arthur Lee, January 26, 1779, note 1.

Committee of Congress Proposed Letter to Conrad Alexandre Gérard

Sir

[January 29? 1779]¹

The candor and frankness which have distinguished all your negotiations with these States, impose particular obligations on Congress to observe on all occasions the like conduct towards you.

They consider the Arms of the Allies as united in one common Cause for the great purpose of effectually maintaining the Liberty, Sovereignty and Independence absolute and unlimited of these States, and for mutual aid during the course of the War and they admire the wise provision, made by the Treaty for preserving the harmony subsisting between them by excluding all *after* claims of compensation on one Side or on the other, whatever may be the event of the War.

How far the fourth Article of the Treaty² directs a stipulation for compensation to precede a particular Enterprize proposed by one Party, and to which the aid of the other is requested, has been taken by Congress into consideration.

They are of opinion that the compensation mentioned in that Article cannot relate to Enterprizes essential to the design of the Alliance and which may be proposed and undertaken by either Party to secure, not extend, their respective Territories, or to diminish the power of the Enemy by defeating their Fleets and Armies, not conquering their Countries or Cities.

The Expedition in question aims at nothing more than the expulsion of the Enemy from a state which cannot be Sovereign and Independent while they remain Masters of its Capital, and by destroying part of their force, advance the declared end of the War, which is to compel the Enemy to yield the great objects of the Alliance.

This Enterprize therefore must be considered in the same light with all other joint and ordinary exertions of force against the Com-

mon Enemy, and can give to neither Party any more claim to compensation than they would have derived from the reduction of Rhode Island by the United forces which operated against it.

But on the other hand, if, after expelling the Enemy from Georgia, Congress should extend their views, and concert an Enterprize against St. Augustine, and request the aid of France in executing it, there can be no doubt but that according to the Article in question a prior Convention ought to regulate the proportion of force each should furnish, and the share of advantage which each should reap by the conquest—because as in this case, new Territory is to be acquired. Reason demands that both Parties concerned in the acquisition should have its due proportion of this, as well as all other joint prizes.

However, Sir, as Congress ardently wish to render the Alliance perpetual, and therefore are solicitous to avoid all cause of future discontent or dispute, they forbear on this occasion to request or solicit, but only recommend to Count d'Estaing to detach to Georgia such part of his Fleet as may answer the purpose intended, provided he be not so engaged in more important Expeditions so far as to render a compliance impracticable or improper—in this recommendation they request the favor of you to join—they view it as a Military Manoeuvre which appears worthy of attention, and in that light only, submit it to your and his consideration.

It gives me pleasure, Sir, to be authorized & directed to assure you, that as on the one hand these States will faithfully observe the Treaty, and make the most strenuous efforts against the common Enemy, they entertain not the least doubt but that their great Ally as well as his Ministers and Officers in every department are influenced by the same principles, and will cheerfully exert all the Power of his formidable Kingdom to obtain the avowed important objects of the noble and Liberal Treaty he hath concluded with these States.

The above was framed by the President. The following proposed by Mr. Laurens to be introduced or added—in order to avert a charge of pertinacity, and to expedite business.

“Upon the whole Sir, should the Count d'Estaing afford such aid and succor as may be in his power, to Georgia & South Carolina Congress will cheerfully accord in your proposition, that compensation shall be a subject for future discussion according to the true intent and meaning of the Treaty of Alliance.”

Gentlemen were dissatisfied—a motion was made to take the sense of the House whether *by the fourth Article of the Treaty any compensation ought to be demanded, for the aid intended to be applied for.*

I considered this to be an ambiguous stating, and that a flat determination in the negative by one Party might be ill received by the other, therefore when the question was about to be put, I moved that the previous question which was carried, that, *that* question should not be now put—and here, to my grief and amazement the business rests.³

31st January.

Tr (ScHi: Laurens Papers, no. 32). In the hand of Moses Young.

¹ This letter was apparently written by John Jay in consultation with the committee appointed on January 28—consisting of Samuel Adams, Henry Laurens, and William Paca—to respond to Conrad Alexandre Gérard on the subject of compensating France if the comte d'Estaing should aid in an attack on the British in Georgia. The committee had been appointed when President Jay informed Congress that Gérard believed that any such application to d'Estaing for aid "should be accompanied with assurance of compensation," in keeping with the terms of Article 4 of the Franco-American treaty of alliance. Gérard had communicated this view to Jay during a conference on the subject of French support in Georgia, which Jay had been directed to arrange by a January 22 resolution of Congress. *JCC*, 13:102. The report of the committee, written by William Paca, has been printed in *JCC*, 13:119–20, with a copy of this draft letter in the hand of George Bond, an assistant in the office of secretary Charles Thomson. For information on the steps Congress had taken in preparing its request for d'Estaing's assistance, see Committee of Conference to John Jay, January 25, note; and Henry Laurens to Rawlins Lowndes, this date.

² See *JCC*, 11:449–50.

³ The journals do not record just when these proceedings took place in Congress, but since Laurens apparently drafted the concluding four paragraphs of this document when he was preparing it as an enclosure for his January 31 letter to Rawlins Lowndes, it seems probable that they occurred on January 29, the day the committee's report was considered and recommitted. January 31, 1779, fell on a Sunday.

For the delegates' subsequent efforts to reach a decision on requesting assistance from d'Estaing, which were resolved on February 8 when Congress declared that it would "not be expedient to make the proposed application for aid to Count d'Estaing," see *JCC*, 13:149, 153; and John Fell's Diary, February 4, 5, and 8, 1779.

John Fell's Diary

Jan'y 29, 1779

Fryday. Commercial Committee 9 oClock. Congress. Letter from David Franks for leave for his Clerk to go to New York, Letter from Gl Washington for leave to go to Camp, Motion for the defence of Georgia and So Carolina debated. Referrd to the Committee to conferr with the General. Letter from the President Read, in answer to the Minister of France for his request of Compensation, long debate lasted till near 5 oClock.

MS (DLC).

Samuel Holten's Diary

[January 29, 1779]

Friday. Congress sit 'till 1/2 after 4 o'Clock. The Honl. Mr. Henry dined with us. Colo. Nevers & Capt. Rogers from Nova Scotia came & informed me of the State of that province.¹ Thawey weather.

MS (MDaAr).

¹ For the efforts of Phineas Nevers and Samuel Rogers to promote a closer relationship between Nova Scotia and the United States, see John Fell's Diary, April 7, 1779.

Henry Laurens to Rawlins Lowndes

Dear Sir

29 January [1779]

I am indebted for Your Excellency's undermentioned Letters received in the following order: 1st & 3d Instant by Messenger Byers—24th, 26th, & 28th Decr. on the 22d Instant by Sharp—9th Instant received yesterday by Hosea Stoddard.¹ All these have been duly communicated to Congress and all excepting the last to General Washington, this shall be laid before him some time in the present day.

At the special requests of the President of Congress and of my Colleague Drayton I had detained Byers from the 24th Inst. for the purpose of conducting Public and private Despatches for Charleston—late yesterday I learned the President had ordered a Messenger from the Board of War and from himself that he had forgot to inform me of it. I intend this short Address to go if possible by that conveyance but as I was detained on a Committee to a very late hour last night, it is somewhat uncertain whether I shall have finished in time although I have risen very early for the purpose; be that as it may Byers shall be dispatched early to morrow, he will not be far behind the other.

Your Excellency is well acquainted with my anxious forebodings of the distress of Georgia. All that I have offered from time to time, for upwards of twelve Months past met with slight—will not say contemptuous receptions. When a proposition was made in August 1777 for an Enterprise to West Florida which appeared to me to promise nothing more than an ineffectual dissipation of Men and Money, I reminded Congress of the weak state of Georgia and South Carolina.² I succeeded so far as tended to quash the attempt, but could never prevail on the House to dispose of the intended means for the security of a weak frontier.

My labors for five Months past have been incessant for fixing the

attention of the higher Powers to the safety of the Southern States. Your Excellency shall in due time see all my Letters on this subject, and which not being properly supported, Gentlemen in general concluded that I was either deficient in my political Ideas or unnecessarily and partially apprehensive of danger in the quarter where my own and the Estates of my particular friends happen to be situated. I have nothing to offer in support of a penetrative judgment, but the sacrifices which I have made them, ought, I think, to have shielded me against the smallest imputation of selfishness. I am reduced to the state of many an old Man to content myself with saying "I told you so."

I am rejoiced that Your Excellency has advertised Count d'Estaing of the circumstances of the two Southernmost States. I was confident you had done so before your advices reach'd me. I had suggested the Idea of writing to the Count to the same effect by special advice Boats from hence, Maryland and Virginia. The President of Congress requested instructions upon the occasion. The subject appeared to me to be narrow and concise, however a Committee was ordered to prepare the required foundation, this was done on the 25th Instant³—the President was then to confer with Mr. Gerard, he did so, and reported yesterday "that the Minister expected that the application for the aid to be asked of Count d'Estaing should be accompanied with assurance of compensation agreeably to the spirit and meaning of the fourth Article of the Treaty of Alliance to be hereafter settled by a Convention between the Court of France and the United States." A Committee was thereupon appointed to take the same into consideration and to confer with the Minister on the subject, Mr. Laurens, Mr. S. Adams and Mr. Paca were the Committee, and were unanimously of opinion the fourth Article did not apply to the present case. I have not time to set forth the reasonings in which Congress seemed generally to concur, and some were a little fired by the obstacle. Mr. Gerard had in our conference adhered to his first opinion—I think it unlucky that, we applied for his intervention. If the fourth Article is obligatory, it will ever be so, and might have rested as a subject for future discussion, for the compensation, if any is to be made, must be discussed on a future day—here the business was hung by the Eyelids at our adjournment Yesterday, and will be resumed this Morning,⁴ all this tends to lengthen a dangerous delay. I flatter myself with hopes that Your Excellency's letter to Count d'Estaing has reached him before this day, in this case I am persuaded he will, without hesitation and with much alacrity grant all that Congress meant or intended to ask—"such relief as may be in his power."⁵ I do not exactly quote the words of the Journal—but these contain substantially and precisely the meaning.

The President will have acquainted Your Excellency with the recommendations of Congress to the States of Virginia and North Carolina to afford you all possible aid.⁶

I am grieved by the knowledge of your deficiency in Military Stores, and the more so from an assurance which I have been long pressing on the minds of those whom it most concerns, that we are not only deficient of the same Articles here, but that from a criminal inattention we have no grounds to hope for a speedy supply.

I am exceedingly anxious to return to my own Country at this critical juncture—my Son if possible is more desirous. I feel deeply for the circumstances of my Neighbours and fellow Citizens—but many of my friends in, and out of Congress press me to stay. I am, at least until some affairs now on the Carpet shall be adjusted—the next Courier from Charlestown will probably determine me. If you are in great danger my pace shall be quickened, that I may stand or fall with those with whom I am most nearly connected.

I believe Sir it will be impossible for me to write to our worthy friend Gervais by this Conveyance. I moved for the million of Dollars he required and obtained an immediate vote on the 21st Instant.⁷ I hope the Treasury have done their duty, and that the Money is now on its way. I have the honor to be—with all possible Esteem & Respect, Sir Your Excellencys Obedt. & Humble Servt. H.L.

Tr (ScHi: Laurens Papers, no. 16).

¹ There are transcripts of President Lowndes' December 24, 26, and 28 and January 3 and 9 letters to Laurens in Laurens Papers, ScHi. These were all private letters that dealt mainly with the invasion of Georgia and therefore were not recorded in the journals.

² Congress had actually debated and rejected this proposed West Florida expedition in July 1777. See these *Letters*, 7:371–75.

³ See Committee of Conference to John Jay, January 25, 1779.

⁴ For further information on this issue, see Committee of Congress Proposed Letter to Gérard, January 29? 1779.

⁵ See *JCC*, 13:102.

⁶ See John Jay to Lowndes, January 23, 1779.

⁷ In reality Congress first referred John Lewis Gervais' request for \$1,000,000 to the Board of Treasury on January 20 and then approved the issuance of a warrant for this amount on February 3. *JCC*, 13:94, 140. See also *JCC*, 12:1027.

Maryland Delegates to Thomas Johnson

Sir [January 29? 1779]¹

Congress have not yet laid down any permanent Principle to ascertain each State's Proportion of Men and Money: what is suggested on this Subject in the Articles of Confederation is not complected and therefore could not be adopted. The late Apportionment of

Monies was made according to Principles which originally obtained that is according to the Number of Souls in each State as ascertained by Estimates formerly furnished by the Delegates. But even this Mode was not strictly attended to: Rhode Island & New York being invaded were unable to pay the whole of their Proportion and Georgia for the like Cause not able to pay any Money at all: the Deficiency of these States was thrown on the rest tho' not in equal Dividend: some of the States having taken upon themselves more than their Proportion, induced by the Idea, that they contribute to sink their Debt with more Facility while they abound in Paper Emissions than when the Quantity is reduced and our Currency appreciated: Part of this Deficiency has been imposed on Maryland but less than her Proportion of it.

Congress having adopted a temporary Mode of Apportionment and not intending to conclude the States by it have to prevent Injury from unequal Assessments resolved that all the Sums of Money which the States are called on to raise shall be placed to their respective Credits on Interest. When the Rule therefore of Apportionment comes to be established such States who shall be found to have advanced beyond their annual Quota will be compensated by Interest on such Advances.²

We have the Honor to be Sir, Your most Obedient Humble Servants,

Wm. Paca

John Henry Junr.

Wm. Carmichael

RC (MdAA: Red Books). Written by Paca, and signed by Paca, Henry, and Carmichael. Endorsed: "Jany 29. 1779."

¹ Although this date is taken from the endorsement, which Edmund Burnett observed may have been written to indicate the date the letter was received rather than written, another document containing evidence on this point has been found in the Signers of the Declaration of Independence Collection, N. That document, written and signed by Paca and dated "Jany. 29. 1779," consists of Congress' November 22, 1777, resolution on apportioning state quotas, beneath which Paca wrote the following sentence: "The Assessment for the present Year by Resolution of Congress is put on same Terms as you'll see in the Resolves accompanying the Assessment." Because the November 22 resolution is so obviously related to the substance of the present letter, it seems highly probable that Paca actually enclosed it with this letter and that the recipient's endorsement was taken from the date on Paca's enclosure.

² For Congress' January 5 resolves on the apportionment of state quotas, which explicitly affirmed that any sums overpaid by the states would be credited to them at interest "on the same terms as are set forth in the resolution of Congress, passed November 22, 1777," see *JCC*, 13:28-29. For additional information on Maryland's quota, which the state council solicited because published reports of its quota conflicted with the figure stated in the January 5 resolve transmitted by President Jay, see Maryland Delegates to Johnson, February 2, 1779.

John Fell's Diary

[January 30, 1779]

30th Saturday. Letters Read from Govr Clinton and Genl Washington for the Payment of Sundry People in the State of New York, Letter read from Genl DePortail relating to the fortyfying Boston Harbour, referr'd to the Marine Committee. Brigr Hamiltons Letter to Coll Harvey in Virginia and his answer, relating to the accomodation of the Convention Troops.

MS (DLC).

John Henry to Thomas Johnson

Dear Sir

Philadela. Jany. 30th 1779

The Indian purchasers have had two Meetings. Nothing conclusive is done. All parties are willing to incorporate but the defect in the Deed of the Ilionois purchase has created some difficulty, which has suspended our Deliberations untill the opinion of the owners can be known on one point. It is said by some of the purchasers of the Ilionois, that they will advance their share of six hundred pounds Sterg. and *no more*, to certify the Deed, and if that should not be sufficient, the Sum that shall be requested, shall hereafter be advanced by the incorporated Company. The purchasers of the Wabach that are represented, are willing (if the 600 Strg. should not prove sufficient to rectify the Deed) to leave the Terms upon which it shall be rectified to further discussion. Your opinion and that of the Gentlemen in Annapolis for whom I act must be communicated to me or some one of their Attornies before any thing can be done.¹

Agreeable to your Letter of the 23 July the Delegates have from Time to Time furnished Mr. Randal with four thousand pounds for supplying the Maryland officers with certain Necessaries. He called upon them the other Day to exchange 4281 Dols. which he had receiv'd of the officers of those two Emissions which are directed by Congress to be called by the first of June. The Delegates were at some loss what to do.² The Money would not pass at all in some places, where he wanted to lay it out, and in none, without a very considerable discount. To subject the State to a certain loss, when it was in their power to prevent it, could not be justified. They therefore concluded to exchange, out of the Money belonging to the State, the 4281 Dollars for other Emissions, and directed Mr. Randall to send the Dollars as exchanged to you. The Delegates had no Authority to put it in the Loan office, and were of Necessity obliged to direct him

to forward the Money to you—This step they hope will meet with your approbation.

The Delegates have been informed, that the State has granted to each of their commissioned officers, one hundred and fifty pounds—They have repeated applications made to them by the officers for this grant. They have supplied some of them and taken their orders. The officers are anxious to receive this favour of their Country, and if it is in your power to send it forward to the care of the Delegates—it will be doing them a signal Service. Every thing is rising and the sooner they have an opportunity of laying out their Money the more advantage they will derive from it.

Congress received Letters yesterday from Genl Lincoln and Howe as late as the 11th Inst. Our affairs do not wear a pleasing aspect in that quarter. The Enemy have at length discovered our weak part, and are taking advantage of it. Their Fleet and Army to the Southward penetrated Savannah River and on the 29th landed within two Miles of Savannah Town. A Disposition of our little band was made by Genl. Howe to engage them. The Contest was short—The great Superiority of the Enemy soon compelled our Troops to retreat. The Enemys force is computed at three Thousand commanded by Col. Campbell, a very brave and gallant officer. Our own did not exceed six hundred. The loss we have sustained is not accurately known. Few are killed, which is a little surprising, as the retreat was affected by under a very heavy fire from four Times their Number. Genl Howe has taken post at Ebenezer on this side the Savannah River where he means to make the best defence, his small force will inable him to do, till the arrival of Genl Lincoln. I dispair of soon having a force sufficient to oppose the Enemy; Many of the Inhabitants and some of high rank in Georgia have joined them—others will no doubt follow them and take advantage of a proclamation, which the Enemy have published. But the greatest source of Danger, is the accession of strength they will probably receive, from the black Inhabitants. Arms, we have some reason to believe, has been sent into that Country, for such purposes; and in my own opinion, if they are resolved to prosecute the Measure, and to break through every tie of honor and Humanity, they will gain considerable Strength.

I am Sir with Sincerity and Affection, Yrs. J. Henry Junr.

RC (MdAA; Red Books).

¹ According to an undated "List of Proprietors of Illinois & Ouabache Land Companys" in PCC, item 41, 10:532-33, members of the companies from Annapolis included Johnson, Charles Carroll of Carrollton, Samuel Chase, and John Davidson. Other Marylanders on this list are Robert Christie, John Dorsey, Robert Goldsborough, Daniel Hughes, Mark Pringle, Matthew Ridley, William Russell, and John Swan. The influence of this group in shaping Maryland's opposition to ratifying the Articles of Confederation has not been fully explored, but Merrill Jensen has argued

that the state's plea for equal access to western lands to defray expenses of the war was a hollow one because of its indifference to Virginia's offer—contained in a December 18, 1778, assembly resolution presented to Congress on January 26—to provide “a bounty in lands to the officers and soldiers of the army on continental establishment.” “The fact that the offer was completely ignored,” Jensen asserts, “is evidence of how little the question of bounty lands was the real cause of the attitude of the landless states.” This view was of course held by many Virginians and received classic expression by George Mason in a letter written to Richard Henry Lee a few months later after he had seen Maryland's December 15, 1778, “Declaration” on the confederation. “It [the “Declaration”] has confirm'd me in an Opinion I have long had, that the secret & true Cause of the great Opposition to Virginia's Title to her chartered Territory was the great Indian Purchase between the Obache & the Illinoise Rivers, made in the Year 1773 or 1774, in which Governor Johnston, & several of the leading Men in Maryland are concerned.” See JCC, 13:116; Merrill Jensen, “The Cession of the Old Northwest,” *Mississippi Valley Historical Review* 23 (June 1936): 36; and Mason, *Papers* (Rutland), 1:461–62, 2:498.

Little is known of the activities of the “Indian purchasers” in Philadelphia at this time, but it seems clear that their interest in rectifying “the defect” in their deed to Illinois lands was stimulated by the recent success of Virginia's decision to secure its claim to the region by dispatching an expedition to the Illinois country under the command of George Rogers Clark. News of Clark's successes, which Gov. Patrick Henry declared had “equalled the most sanguine expectations,” had reached Philadelphia with the governor's November 14, 1778, letter to the Virginia delegates, which was read in Congress on November 27. *Letters of Virginia Governors*, 1:323–25. Despite the obvious importance of Clark's victories to the state of Virginia and to those opposed to her western claims, his exploits apparently occasioned little comment among the delegates—so little, indeed, that Clark does not appear in the index to either the 1778 or 1779 volume of Burnett's *Letters*.

² The Maryland Council's July 23, 1778, letter discussing John Randall, the state's agent for supplying Maryland troops, is in *Md. Archives*, 21:164–65, a volume in which numerous documents related to Randall's activities can be found. For the council's February 5 reply containing further instructions for supplying Randall, see *ibid.*, pp. 294–95.

Samuel Holten's Diary

[January 30, 1779]

Saturday. It is said the Count Estaign has lost a number of men in attemptg. to storm a fort in the west indies.¹ I wrote to Genl. Lincoln.

MS (MDaAr).

¹ Holten is apparently referring to preliminary reports that on December 15–16 the French had been repulsed while attempting to retake St. Lucia from the British. William A. James, *The British Navy in Adversity* (1926; reprint ed., New York: Russell and Russell, 1970), pp. 117–18.

Samuel Holten to Benjamin Lincoln

Dear Sir.

Philadelphia Jany. 30, 1779

A few days since I had the pleasure of receiving your favors of the 20, 23, & 25 ulto. directed to the delegates of Massa. Bay & could

hardly believe at first, that I had not noticed your letter of the Novr. the 9th, as I fully recollect it was my intention.

It gave me concern when I heard of the fall you met with soon after you left us, but hope you are fully restored.

The disappointments that you have met with by not being furnished with troops & other necessities for an expedition against E. Florida, as you expected must be very mortifying, however it was no more than I expected, but I perceive you are likely to have business enough nearer home; Your last letters to Congress are now under consideration ¹ & I expect some resolutions will soon be come into & forwarded with all possible dispatch; The arms you mention as being in the stores at S. Carolina, Mr. Drayton one of the delegates from that state, thinks they do not belong to the continent.

The great personal respect I have for you, always operated in my mind against your going to the Southward, but hope you'll be supported in the important affairs you are engaged in.

We are expecting news from your quarter, & have nothing here worthy your attention, to be depended on; It is said the Count De Estaing has lost a number of men in attempting to storm a fort in the west Indies.

An unhappy dispute has arose between some of our agents on the other side of the water, but I think it most prudent to make but one remark at present upon their conduct (viz.) I think they were very imprudent to get into such a dispute at this time. No doubt you have seen a number of pieces in the public prints respecting the above affair, under the Signature of Common Sense, Plain Truth, &c, &c, but I hope the good people will not form a Judgment upon the matter, before they can be better informd.

Your letters to Mrs. Lincoln was duly noticed, & it will always give me pleasure to render you any services this way.

I am Sir, with great respect & Sincerity, your most obedient & most humble servt.

S. Holten

RC (CSmH: HM 39005).

¹ General Lincoln's December 26, 1778, letter had been referred to a special committee on January 25; his January 6, 1779, letter had been referred to the Board of War on January 28. *JCC*, 13:113, 123.

John Jay to George Washington

Sir,

Philadelphia 30th Jany. 1779

On the 23d Inst, Congress passed two Acts, One relating to the Commissary of Prisoners, the other to the Director General; Copies of both are herewith enclosed.¹

Both your Excellency's Letters of the 29th Inst., one covering an Extract of a Letter from Governor Clinton, the other, a Letter from General Du Portail, have been delivered to me.² Whatever Acts they may become the Subjects of, shall be without delay communicated to You.

I have the Honor to be, With the greatest Respect & Esteem, Your Excellencys most Obedt. Servt. J.J.³

LB (DNA: PCC, item 14).

¹ JCC, 13:110–11. These resolves were adopted as a part of Congress' campaign to improve army administration and to clarify the operational authority of the commander in chief. The former, passed in response to a January 3 request from the commissary of prisoners, John Beatty, specified that he would receive all future orders "through the Commander in Chief," and would effect exchanges only when directed by Washington, Congress, the Board of War, or the Marine Committee. The latter clarified the authority of the director general of the medical department. For Beatty's complaints regarding difficulties encountered in attempting to carry out his duties, see PCC, item 78, 3:233–36, 265–68; and JCC, 13:43, 104.

Jay transmitted the resolve concerning the medical department to director general William Shippen, Jr., under cover of the following brief note of February 3. "The enclosed is a Copy of an Act of Congress of the 23d Ult. establishing certain Regulations in your Department." PCC, item 14, fol. 40.

² Actually Washington wrote three letters to Congress dated January 29. The first of these, which is in Washington, *Writings* (Fitzpatrick), 14:53–54, and PCC, item 152, 7:93, was not acknowledged by Jay. In it Washington simply stated that he felt himself "under a necessity of requesting the permission of Congress to return . . . [to] camp at Middle-Brook, on Monday next." The one enclosing a January 27 letter to him from General Duportail "on the subject of fortifying Boston" is in neither the PCC nor Fitzpatrick's edition of his writings, but a file copy of it is in the Washington Papers, DLC. The one "covering an Extract of a Letter from Governor Clinton," appealing for the settling of accounts related to his purchases during his defense of "the forts in the Highlands" during the 1777 campaign, is in Washington, *Writings* (Fitzpatrick), 14:52, and PCC, item 152, 7:49.

³ This day Jay also wrote the following letter to the comte de Montfort. "You will perceive by a Copy of an Act of Congress of the 23d Inst., herewith enclosed, that they have accepted your resignation, & have ordered your usual allowance of rations to be continued for the space of two months, provided you shall not embark before the Expiration of that time. I wish you a safe & pleasant voyage to your native Country and am Sir, your most Obedt. & Hble Servt." See PCC, item 14, fol. 35; JCC, 13:107; and these *Letters*, 6:310n. 4.

Committee of Conference Minutes of Proceedings

Sunday 31st January 1779

At a Meeting of the Committee appointed by Congress to confer with the Commander in Chief

Present Mr. Duane

Mr. Laurens

Mr. Root

Mr. M. Smith

} In Conference with the
Commander in chief

A Letter from Coll. Gibson of one of the State Regiments of Virginia,¹ setting forth that he had receiv'd no Orders for re-inlisting the said Regiment, and that the Time for which the Men were enlisted is daily expiring; that very few of the Men were enlisted to serve during the War and that they are willing to enlist on the same Terms as the Troops from the State of Virginia, in Continental Service, was read; and the said Letter being referr'd to this Committee, with Powers to take such Order thereon as they shall Judge proper; It is Unanimously agreed that the Commander in Chief shall give Orders for re-inlisting the men belonging to the said Regiment for the War, allowing them the Continental Bounty: & that if the State of Virginia shall incline to take the Regiment when so reenlisted, into its own immediate Service, it shall be at Liberty to do so; & in that Case, the Bounty money to be advanced out of the Continental Treasury, together with the Expence of recruiting, shall be returned.

It is further agreed, that if Coll. Smith & his Regiment,² raised for the Service of the State of Virginia, shall make a similar Application to the Commander in Chief of the Army of these United States, the Same measures in all Respects be pursued with Regard to that Regiment.

That a Copy of this Resolution be deliver'd to the Commander in Chief; and the Original lodged with the Board of War.

Done in Committee of Conference with the Commander in Chief & signed by their Order. James Duane—Chair

MS (ViHi: Continental Congress Collection). In the hand of Peter Scull. Endorsed by Scull: "War-Office 3rd Aug. 1779. These are to certify that the within writing is copied verbatim from the report of the committee of conference filed in this office." The complete report of the committee of conference has not been found.

¹ Col. George Gibson of the First Virginia state regiment had written to General Washington on January 23, 1779, complaining of Virginia's failure to take steps to reenlist the troops of the "Two State Regiments anex'd to the Continental Army." Gibson's letter, which is in PCC, item 78, 10:133, was read in Congress and referred to this committee on January 29. See JCC, 13:124, and E. M. Sanchez-Saavedra, *A Guide to Virginia Military Organizations in the American Revolution* (Richmond: Virginia State Library, 1978), pp. 110, 112-13.

² Col. Gregory Smith had commanded both the Second and Third Virginia state regiments. *Ibid.*, pp. 112-13.

John Jay to George Clinton

Sir,

Philadelphia 31st Jany. 1779

I have the Pleasure of transmitting to You a Copy of an Act of Congress of the 30th Inst; directing the Quarter-Master & Commissary

General to pay such of the Accounts, mentioned in your Excellency's Letter of the 29th December last to General Washington, as you shall certify.¹

Copies of this Act shall be immediately sent to the Quarter-Master, & Commissary General,² so that no delays may, in future, attend the Settlement of these Accounts.

I have the Honor to be Sir, With great Respect & Esteem, Your Excellency's most Obed. & Humble Servant. John Jay. Presidt

RC (NN: Emmet Collection). In the hand of Henry Brockholst Livingston and signed by Jay.

¹ *JCC*, 13:124-25. Clinton's plea for the settlement of claims related to the impressment of supplies in New York during his defense of forts in the Highlands in 1777 had been transmitted to Congress in a January 29 letter from Washington. See Jay to Washington, January 30, 1779, note 2.

² Jay transmitted this act to Nathanael Greene and to Jeremiah Wadsworth in the following brief circular letter of February 1. "The enclosed Copy of an Act of Congress of the 30th Ulto directs the Payment of sundry Accounts due to the Inhabitants of New York, for Provisions & Services, supplied & performed, immediately after the Loss of Fort-Montgomery. As these sums have been due for more than a Year, I am persuaded You will, without delay, provide for the Execution of this Act." PCC, item 14, fol. 39.

John Jay to the Baron de Thuillieres and Monsieur de Mauleon

Sir Philadelphia 31st Jany. 1779

Agreeable to an order of Congress, contained in an Act of the 28th Inst of which the inclosed is a copy, I have the pleasure of presenting to You their thanks, for the Offer of your Services to the United States.¹ But such, Sir, is the Situation of Affairs, as not to admit of your being employed in the public Service, in a Station suitable to your Merit, for which Reason Congress cannot have the pleasure of accepting the offer of your Service.

You will receive enclosed a warrant on the Treasury for fifteen hundred Dollars which You will be pleased to accept, as some compensation for the heavy expence attending your Application to Congress, & your Return to Europe.²

I am Sir with best wishes for Your health & Prosperity, Your most Obedt. & very Hble Servant. J.J.

LB (DNA: PCC, item 14). Addressed: "To The Baron De Thilier." Endorsed: "N.B. The like verbatim to Monsr. De Mauleon."

¹ *JCC*, 13:121. For the letters and memorials of these foreign officers, whose offers of service to the United States were received at an inopportune time when many American officers were being superseded to implement recently adopted "arrange-

ments" in the Continental Army, see PCC, item 41, 6:83-85, 10:25-26, 41-45, 53-55, item 78, 15:429-33, 22:613; and *JCC*, 12:1034, 1040-41, 1183-84, 1214, 13:25, 149. For Maulcon's effort to secure a position in Pulaski's Legion, see also Henry Laurens to Casimir Pulaski, November 3, 1778, note 2.

² Although Congress had provided \$1,500 compensation for his return to France, Thuillieres almost immediately petitioned for additional travel funds, a request rejected by Congress on February 5 and the response communicated to him by Jay in a letter of the same date. See *JCC*, 13:149; and PCC, item 14, fol. 44.

John Jay to George Washington

Sir,

Philadelphia 31st Jany. 1779

Congress, agreeable to your Excellency's Recommendation, have directed the Commissary, and Quarter-Master General to pay such of the Accounts, mentioned in Governor Clinton's Letter, as he shall certify.¹ And by their Act of the 30th Inst, of which the enclosed is a copy, have consented to Your Excellency's Return to Camp.²

The Opinion of Congress, respecting the continuation of the Committee of Conference, is as yet undetermined. To me it appears proper, as well as necessary, that until they become dissolved, by making a Report on the several Matters committed to them, they should consider an epistolary correspondence with your Excellency on those Subjects to be as much within the Line of their Appointment as personal conferences.

There are several Acts of Congress, of which I ought to have sent you Copies, & application has several times been made to the Secretary's Office for them. I am now informed that the Clerks, instead of delivering them to me, have left them with Your Excellency. These Irregularities will, I hope, be in future avoided.

I have the Honor to be with the greatest Respect & Esteem, Your Excellency's most Obt. & Hble Servt. John Jay, Presidt.³

RC (DLC: Washington Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

¹ See Jay to George Clinton, this date.

² *JCC*, 13:125.

³ Jay also wrote the following brief letter this day to Paymaster General William Palfrey, for which see *JCC*, 13:128. "You will receive herewith enclosed a Copy of an Act of Congress of the 30th Inst. directing the Paymaster of the Board of War to transmit to You a certain Sum of Money for the current expence of the Army." Myers Collection, NN.

Henry Laurens to Rawlins Lowndes

Dear Sir

31 January [1779]

I had the honor of addressing Your Excellency on the 29th Instant by a Public Messenger who proceeded the same day on his journey—Byers, the bearer hereof, may possibly be first in, therefore I have pre-faced this with a Copy of the former.

Your Excellency will learn from a Piece of Paper here inclosed that we have not advanced one Step in our intended application to the Count d'Estaing, this stagnancy is probably the effect of misapprehension—the Journal of Congress direct that an application be made to Count d'Estaing for such aid or relief as may be in his power to afford.¹

The Minister seems to have affixed his attention to a Paper which had been prepared by a Committee for the President, setting forth the distressed circumstances of Georgia, the dangerous Situation of South Carolina, and also the advantages which may result from an immediate attack upon the Invaders of those States, and coupled to these, the Idea of an intended Conquest of East Florida, an event not anxiously wished for by our Ally.² In this view there can be no question whether the 4th Article of the Treaty of Alliance will, or will not apply.

But to solicit for such immediate relief as the Admiral may be able to afford to invaded States which are guaranteed by the Treaty is one thing—eventual proceedings and consequent benefits to the Party requiring aid in an Enterprise, is another.

If after having afforded the necessary relief in which the Parties in good faith are mutually interested, an Enterprise for acquiring new Territory should be projected, previous stipulations for compensation to the assisting Party will become necessary. I fear while we are reasoning my Country is bleeding.

A Committee had been appointed for conferring with the Commander in Chief on the most proper means for reinforcing General Lincoln, but nothing having been effected in the course of two or three days I yesterday moved for an addition of two Members and recommended my Colleagues, these Gentlemen being elected, we immediately entered upon the business committed to us.³ The General, I mean General Washington, is of opinion that no effectual aid can be afforded from the Main Army, Count Pulaski's Legion excepted. Congress adjourned before we could make our Report and negativ'd a proposition for meeting this Morning (Sunday). Tomorrow we shall recommend to repeat the late requisitions for all possible aid to be sent from Virginia and North Carolina including about four thousand stand of Arms, a large quantity of Gunpowder, some lead &c

to be collected in Maryland, and the States before mentioned. You are not to expect any Naval assistance, the Idea of granting such, from our feeble funds was generally exploded, if I remember right when the question was put on that occasion there were no voices, ay, but Mr. Drayton's and my own;⁴ and truly Sir, you will not be much surprized at this, when you are fully informed of the circumstances of our Marine.

I shall be providing such Shot as Your Excellency has described, and return your Vessel if she arrives with the utmost dispatch, but, in order to save time, and for guarding against accidents which may happen to a single Vessel, I mean to recommend, indeed have recommended to send a proper Vessel with Military Stores from hence, but sorry I am to say, a question arises, have we any to spare? This shall be fully investigated tomorrow.⁵ I know we have no Lead.

We have just now received very unpleasant intelligence from the West Indies, Mr. Bingham 'tis said writes from Martinico that General Grant had possessed himself of the Island of St. Lucia. Count d'Estaing having block'd up four British Ships of the Line, which were lying in the Bason or Harbor, landed a body of Troops and attempted to force one of the Enemys works, these were severely repulsed, and the Count after having sustained a loss of upwards of fifteen hundred Men, had desisted from the Enterprise, and retired. He had been reinforced by four Ships of the Line from France, and two captured English Frigates. I have not time to enquire into particulars, but as the Account is against us, there is no ground for suspecting exaggeration.

I perused a Letter yesterday from Sir Henry Clinton to General Washington expressed in such polite terms, and intimating such an Act on the part of Sir Harry, as convinces me he wishes to be friends with us again⁶—the wretched Refugees and Rebels in New York Garrison and its environs are in the utmost distress from apprehensions of being sent across the Atlantic, or to New Providence, Georgia or Florida. They are plainly told, they must support themselves by Arms, in other words that while they remain, they must draw their subsistence from the Kings Stores as Soldiers, or from plunder in a predatory War against the Rebels. General Maxwell intimates that they were collecting in Companies, seemingly intended for the latter purpose, though with tears in their Eyes. Spain by our last intelligence, continued a bustle, and Holland grumbling. The Newspapers which will accompany this, will give Your Excellency other scraps of information. I will not further trouble you at present Sir, but to repeat, that I remain, With the highest Respect & Esteem, Your Excellencys Most Obedient And Most Humble Servant, H.L.

Tr (ScHi: Laurens Papers, no. 16).

¹ See *JCC*, 13:102-3; and Committee of Congress Proposed Letter to Gérard, January 20? 1779. The latter may be the "Piece of Paper" referred to by Laurens.

² See Committee of Conference to John Jay, January 25, 1779.

³ William Henry Drayton and Richard Hutson were the "Gentlemen" added to the committee that was conferring with Washington on the campaign of 1779. Congress ordered this committee on January 29 to consult with Washington on the defense of Georgia and South Carolina, and on February 2 it approved a report by the committee on this issue. See *JCC*, 13:123, 125, 132-33.

⁴ Laurens is apparently referring to a vote of the committee, not of Congress.

⁵ Despite Laurens' pessimism, Congress ordered the Marine Committee on February 2 to provide a vessel to carry military supplies to South Carolina. *JCC*, 13:133.

⁶ Sir Henry Clinton had announced in his January 23 letter to Washington that he was ordering the exchange of two Continental soldiers who had been captured after killing a New Jersey loyalist while they were on patrol without a noncommissioned officer, which according to European practice, Clinton asserted, made them "liable, if taken by the Enemy, to be treated as Spies or Marauders." Washington Papers, DLC. See also Washington, *Writings* (Fitzpatrick), 13:454-55, 14:69; and John Fell's Diary, December 29, 1778, note 1.

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